



FINAL DETERMINATION

IN THE MATTER OF

**JONATHAN STALLARD,
Requester**

v.

**MEADVILLE CITY POLICE
DEPARTMENT,
Respondent**

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Docket No: AP 2025-4065

The Office of Open Records (“OOR”) received the above-captioned appeal under the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* Upon review of the file, the appeal is **transferred** for the following reasons:

On August 16, 2026, Jonathan Stallard (“Requester”) submitted a request (“Request”) to the Meadville City Police Department (“Department”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking:

- 1: the date and time of each [Automated License Plate Reader (“ALPR”)] query, scan, or read;
- 2: the license plate number(s) queried, scanned, or read, and the associated state of issuance
- 3: the identity, badge number, or user ID of the officer or employee who conducted or initiated each query;
- 4: The stated reason, case number or the stated reason, case number, or CAD number associated with each query, to the extent captured in a “search reason” field or similar field within the ALPR system;

5: any hit, alert, or notification generated by the ALPR system, including the hot list, database, or source (e.g., CLEAN, NCIC) underlying each alert;

6: any written policy, procedure, or retention schedule governing how long ALPR search, query, or transaction logs are retained before deletion or purging, and any provision governing access to or sharing of such logs.

On September 21, 2026, after invoking a thirty-day extension to respond, *see* 65 P.S. § 67.902(b), the Department granted policies responsive to Item 6, but argued that the disclosure of records responsive to Items 1-5 is reasonably likely to jeopardize or threaten public safety, preparedness, or public-protection activity, 65 P.S. § 67.708(b)(2), and that some records are related to a criminal investigation, 65 P.S. § 67.708(b)(16).

On the same day, the Requester filed an appeal with the Office of Open Records (“OOR”), challenging the denial and stating grounds for disclosure. The OOR invited both parties to supplement the record and directed the Department to notify the OOR if any third parties have a direct interest in the appeal. 65 P.S. § 67.1101(c).

On October 6, 2026, the Department submitted a position statement, reiterating its grounds for denial, along with statements made under the penalties of unsworn falsification to authorities by Maryann Menanno, City Manager (“Menanno Attestation”), and Michael Stefanucci, Chief of Police (“Stefanucci Attestation”).¹

1. The Department has not proven that disclosure of the records would be reasonably likely to threaten public safety

The Department argues that disclosure of the records would be reasonably likely to threaten public safety. Section 708(b)(2) of the RTKL exempts from disclosure “[a] record maintained by an agency in connection with ... law enforcement or other public safety activity that if disclosed

¹ Under the RTKL, an affidavit or statement made under penalty of perjury may serve as sufficient evidentiary support. *See Sherry v. Radnor Twp. Sch. Dist.*, 20 A.3d 515, 520-21 (Pa. Commw. Ct. 2011); *Moore v. Off. of Open Records*, 992 A.2d 907, 909 (Pa. Commw. Ct. 2010).

would be reasonably likely to jeopardize or threaten public safety ... or public protection activity.” 65 P.S. § 67.708(b)(2). “Reasonably likely” has been interpreted as “requiring more than speculation.” *Carey v. Pa. Dep’t of Corr.*, 61 A.3d 367, 375 (Pa. Commw. Ct. 2013); *see also* *Lutz v. City of Phila.*, 6 A.3d 669, 676 (Pa. Commw. Ct. 2010) (holding that “[m]ore than mere conjecture is needed” to establish that this exemption applies).

The Stefanucci Attestation provides that there is no way to retrieve records of all “reads” or scans of license plates from the ALPR database system, and the only records responsive to the Request that could be retrieved were those generated by individual hot list matches and by individual queries made by investigating officers. Stefanucci Attestation, ¶¶ 15-16. Each of the hot list match and query records contain a number of data points that cannot be segregated into separate items of data without creating a new record. *Id.*, ¶¶ 17-20. The Attestation states that disclosure of the records would reveal information regarding the Department’s use of ALPR technology, including investigative methods, search practices, information sources, and crucial details of individual investigations. *Id.*, ¶ 22. This knowledge would enable criminals and terrorists to evade detection and/or interfere with law enforcement investigations. *Id.*

However, the Attestation does not demonstrate that evasion or interference is reasonably likely to occur, nor does it explain precisely how disclosure of this information would allow malevolent actors to evade detection or interfere with investigations. As such, the evidence is speculative and the Department has not met its burden of proving that disclosure of the records would be reasonably likely to threaten public safety. *See* 65 P.S. § 67.708(a)(1).

2. The Department has proven that the records may be related to a criminal investigation

The Department is a local agency, and the OOR has no jurisdiction over appeals related to criminal investigative records held by local agencies. *See* 65 P.S. § 67.503(d); *Phila. Dist.*

Attorney's Off. v. Stover, 176 A.3d 1024 (Pa. Commw. Ct. 2017) (holding that the OOR has jurisdiction to determine whether it actually has jurisdiction over the matter) (citation omitted). Instead, such appeals are to be heard by an appeals officer designated by the local district attorney. *See id.* First, jurisdiction is properly transferred from the OOR to a district attorney's office when an appeal on its face involves records that relate to a criminal investigation (e.g., search warrants, witness statements, etc.). *See California Borough v. Rothey*, 185 A.3d 456 (Pa. Commw. Ct. 2018) (quoting *Pa. State Police v. Grove*, 161 A.3d 877 (Pa. 2017) (holding that a "criminal investigation" "clearly and obviously refers to an official inquiry into a possible crime.")). Second, when it is unclear whether the requested records relate to a criminal investigation, the local agency must provide some evidence showing how the records relate to a specific criminal investigation. While a low threshold for transferring a case is needed, an agency must provide more than a conclusory affidavit that merely repeats the language of Sections 503(d) and 708(b)(16).

Here, the Stefanucci Attestation provides that all records that were responsive to Items 1 through 5 were records generated by individual hot list matches and case queries, all of which were materials used in specific criminal investigations conducted by the Department. Stefanucci Attestation, ¶¶ 16-17. Moreover, disclosure of the hot list match records and query records would reveal the initiation and progress of specific investigations. *Id.* at ¶ 21. Accordingly, the Department has satisfied the threshold of showing that the records may relate to criminal investigations. *See* 65 P.S. § 67.503(d).

For the foregoing reasons, the Requester's appeal is **transferred** to the District Attorney for Crawford County, and the Department is not required to take any further action at this time. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal or petition for review to the Crawford County Court of

Common Pleas. *See* 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 65 P.S. § 67.1303, but as the quasi-judicial tribunal that adjudicated 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>.

FINAL DETERMINATION ISSUED AND MAILED: October 21, 2026

/s/ Blake Eilers

Blake Eilers, Esq.

Senior Appeals Officer

Delivered to: Jonathan Stallard; Maryann Menanno; Tim Wachter, Esq. (via OOR e-file portal)
Crawford County District Attorney's Office (via email)

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