



FINAL DETERMINATION

DATE ISSUED AND MAILED: October 23, 2026

IN RE: *Cassandra Conrad v. Bedford Borough*, OOR Dkt. AP 2026-4327

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the parties’ submissions, the appeal is **DENIED** because:

Responsive records do not exist. On October 19, 2026, the Bedford Borough (“Borough”) submitted an attestation made subject to the penalties of unsworn falsification to authorities, 18 Pa.C.S. § 4904, authored by Barbara E. Diehl (“Diehl Attestation”), the Borough’s Agency Open Records Officer (“AORO”).¹ The AORO attests that a search was conducted within the Borough’s emails and other electronically stored files. Diehl Attestation ¶ 3. Additionally, the AORO inquired with the Chief of Police for responsive records. *Id.* at ¶ 4. As explained by the AORO, no responsive electronic communications occurred during June 2026, there were no documented responsive reports created by the Borough’s police department. *Id.* at ¶ 5. As a result of the Borough’s search, no responsive records exist in the Borough’s possession, custody or control. *Id.* at ¶ 6. Thus, the Borough demonstrated that it conducted a good faith search for responsive records as required by 65 P.S. § 67.901 and no responsive records were located. Therefore, based on the evidence provided, the Borough has met its burden of proof that it does not possess responsive records. *Hodges v. Pa. Dep’t of Health*, 29 A.3d 1190, 1192 (Pa. Commw. Ct. 2011).

For this reason, the Borough 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 Bedford 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/ Bandy L. Jarosz

BANDY L. JAROSZ, ESQ., APPEALS OFFICER

Sent via portal only to: Cassandra Conrad; Barbara Diehl

¹ The OOR provided an evidentiary submission extension to both parties through October 21, 2026. *See* 65 P.S. § 67.1102(b)(3) (stating that “the appeals officer shall rule on procedural matters on the basis of justice, fairness, and the expeditious resolution of the dispute”).

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