



FINAL DETERMINATION

DATE ISSUED AND MAILED: October 23, 2026

IN RE: *Samantha Kunkel v. Carroll Township Police Department*, OOR Dkt. AP 2026-4346

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:

Additional responsive records do not exist. On October 12, 2026, the Carroll Township Police Department (“Department”) submitted an attestation made subject to the penalties of unsworn falsification to authorities, 18 Pa.C.S. § 4904, authored by Thomas Wargo (“Wargo Attestation”), the Department’s Chief of Police. Chief Wargo attests that an electronic search was conducted using the search terms including “Upper Allen,” “Fairview,” “NYRPD,” “NYRCPD,” “NYCPD,” “Northern,” “PSP,” “State Police,” “Newberry,” and “Sheriff,” terms that were used to identify records reflecting outside-agency assistance, backup, mutual aid or coverage. Wargo Attestation ¶¶ 5, 6. As noted, the Department did not redact time-response or blotter information from the responsive records. *Id.* at ¶ 9.¹ As a result of the Department’s search, other than the records provided, additional responsive records do not exist in the Department’s possession, custody or control. *Id.* at ¶ 11. Thus, the Department demonstrated that it conducted a good faith search for responsive records as required by 65 P.S. § 67.901 and, as a result of the search, no additional responsive records were located. Therefore, the Department has met its burden of proof that it does not possess additional responsive records. *Hodges v. Pa. Dep’t of Health*, 29 A.3d 1190, 1192 (Pa. Commw. Ct. 2011).

For this reason, the 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 York 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

¹ The Department redacted statements supplied by callers or witnesses, identifying information used by dispatch personnel or criminal investigative information. *See* Wargo Attestation ¶ 10. As noted by the Requester, redactions made pursuant to Sections 708(b)(6), (b)(30), (b)(16), (b)(18) and Pennsylvania’s Criminal History Record Information Act (“CHRIA”), 18 Pa.C.S. §§ 9101-9183, are not being challenged. *See* Requester appeal p. 5.

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

Sent via portal only to:

Samantha Kunkel; Chief Thomas Wargo