



Pennsylvania Office of Open Records

2024 ANNUAL REPORT



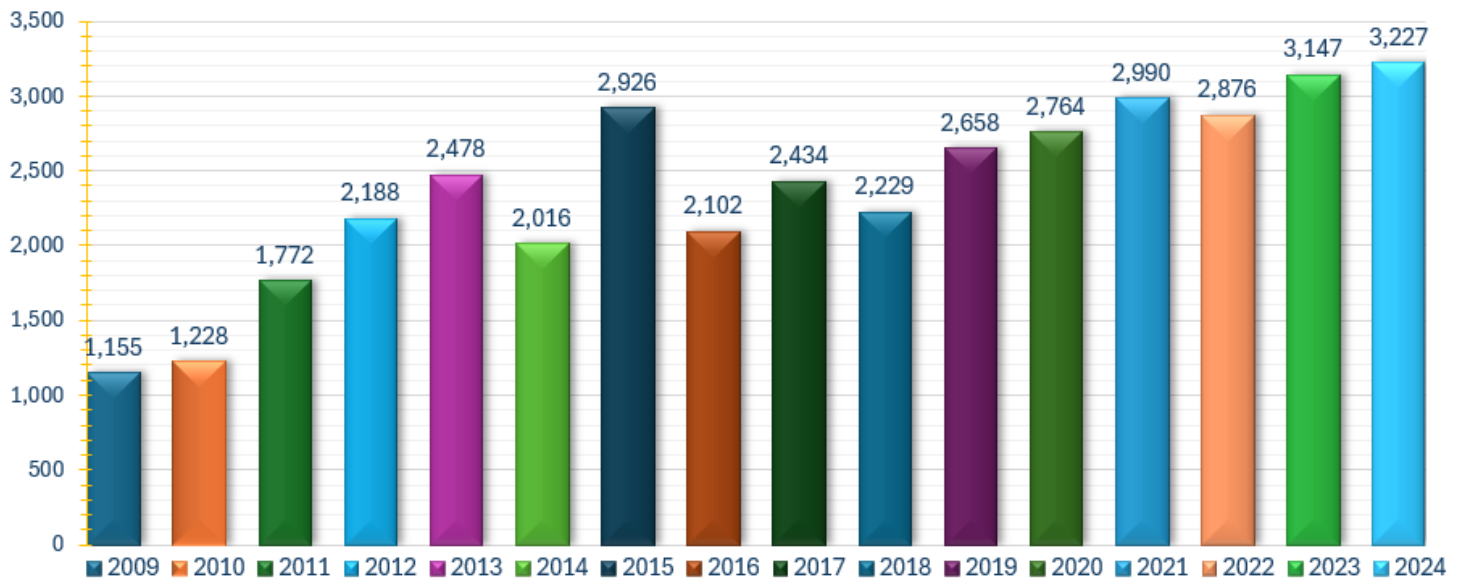
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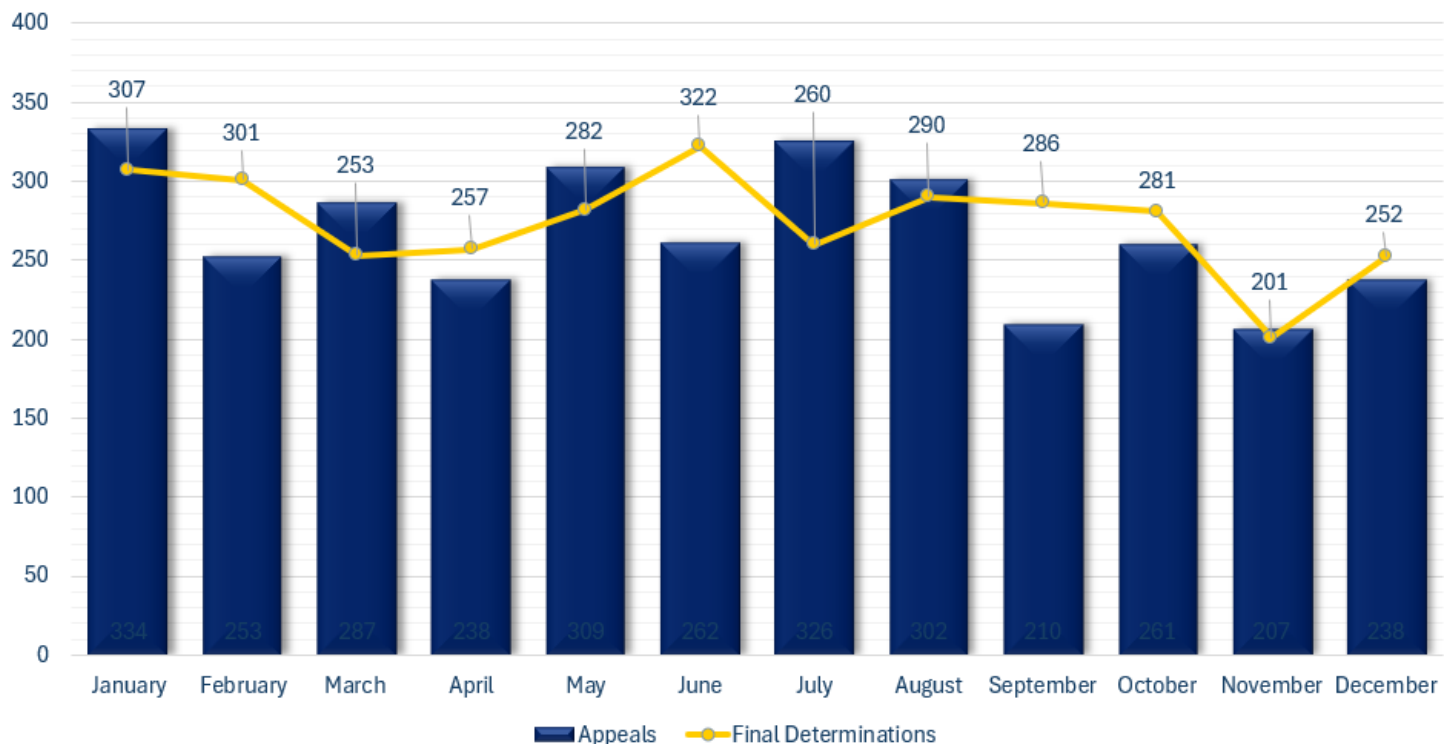
3,227 Appeals Filed

2024 ranks as the busiest year ever for the Office of Open Records. The current three-year average is 3,083 appeals; the current five-year average is 3,001.



3,292 Decisions Issued

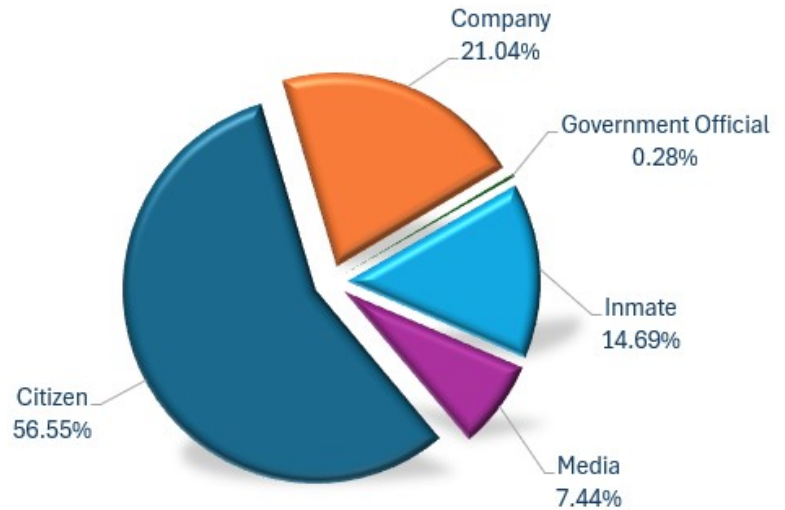
The issues to be decided on appeal continue to grow in both volume and complexity.



1,825 Citizen Appeals

Over half of the appeals docketed by the OOR in 2024 were filed by everyday citizens. They were followed by:

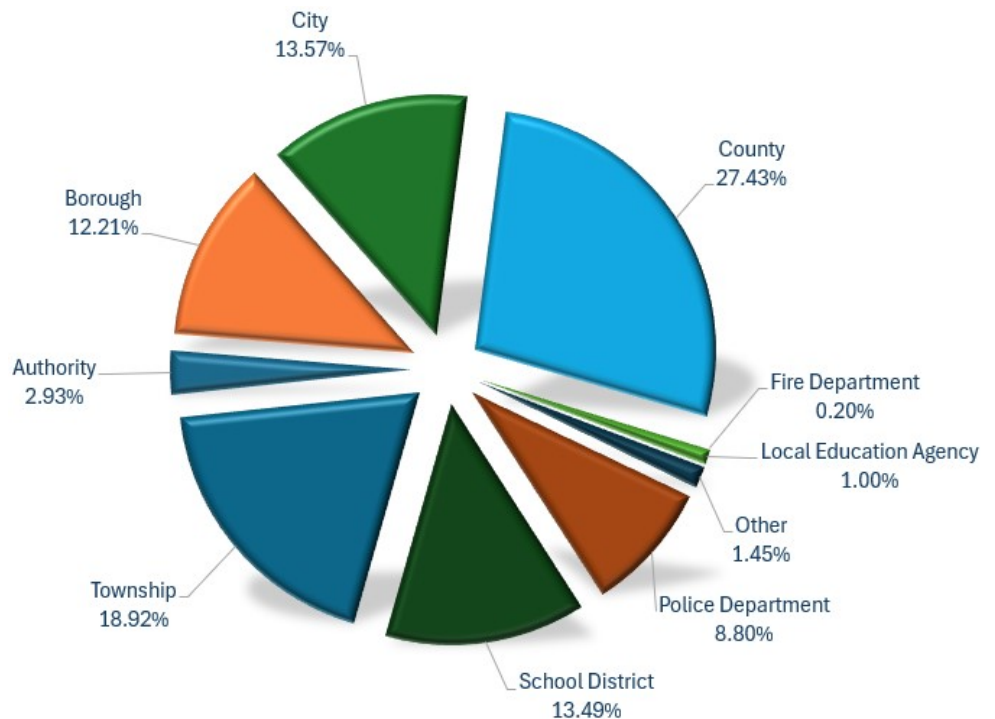
- Companies and Private Organizations, 679
- Inmates, 474
- Media, 240
- Government Officials, 9



2,490 Appeals Involving Local Agencies

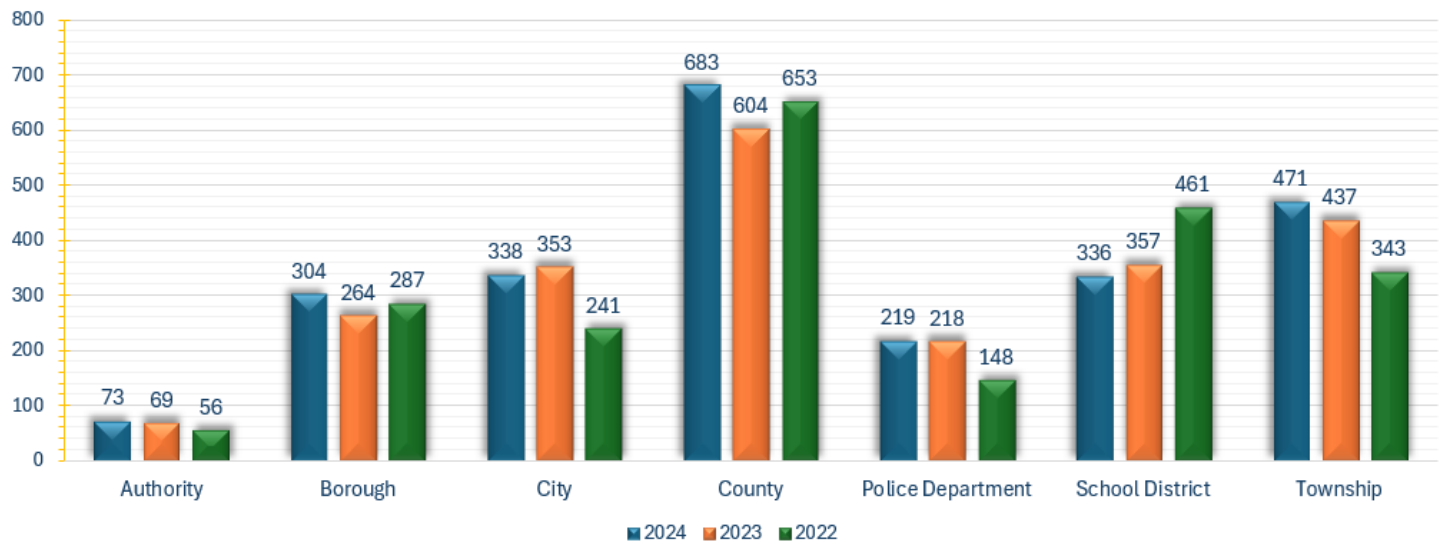
In 2024, municipalities (cities, boroughs, and townships) were involved in 45% of appeals filed against local agencies. Here's the complete list:

- Counties, 683
- Townships, 471
- School Districts, 336
- Cities, 338
- Boroughs, 304
- Police Departments, 219
- Authorities, 73
- Other, 36
- Local Education Agencies, 25
- Fire Departments, 5



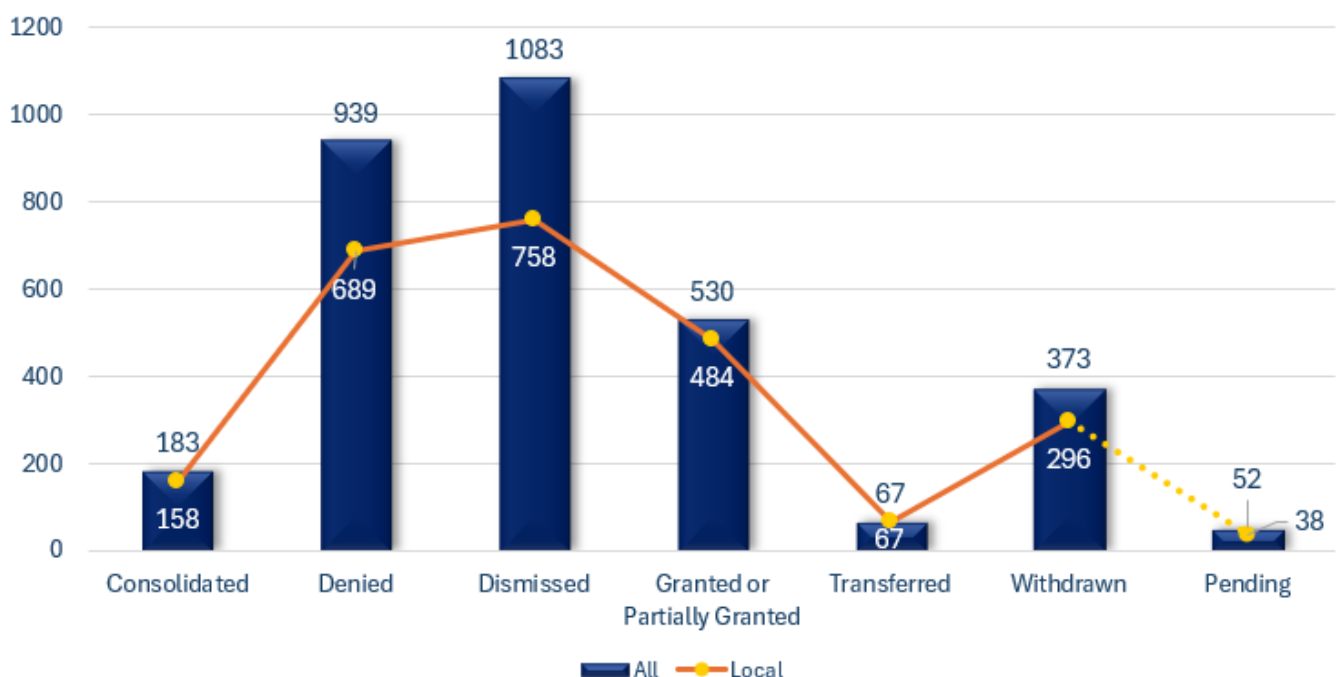
Increase and Decrease of Local Agencies

In 2024, a few local agencies saw fluctuations in the number of appeals filed compared to 2022 and 2023.



Breakdown of Local Agency Appeals

Requesters obtain access to records when appeals are granted or withdrawn (only the requester can withdraw an appeal). In 2024, 31% of appeals involving local agencies were granted, partially granted, or withdrawn while 28% were denied.

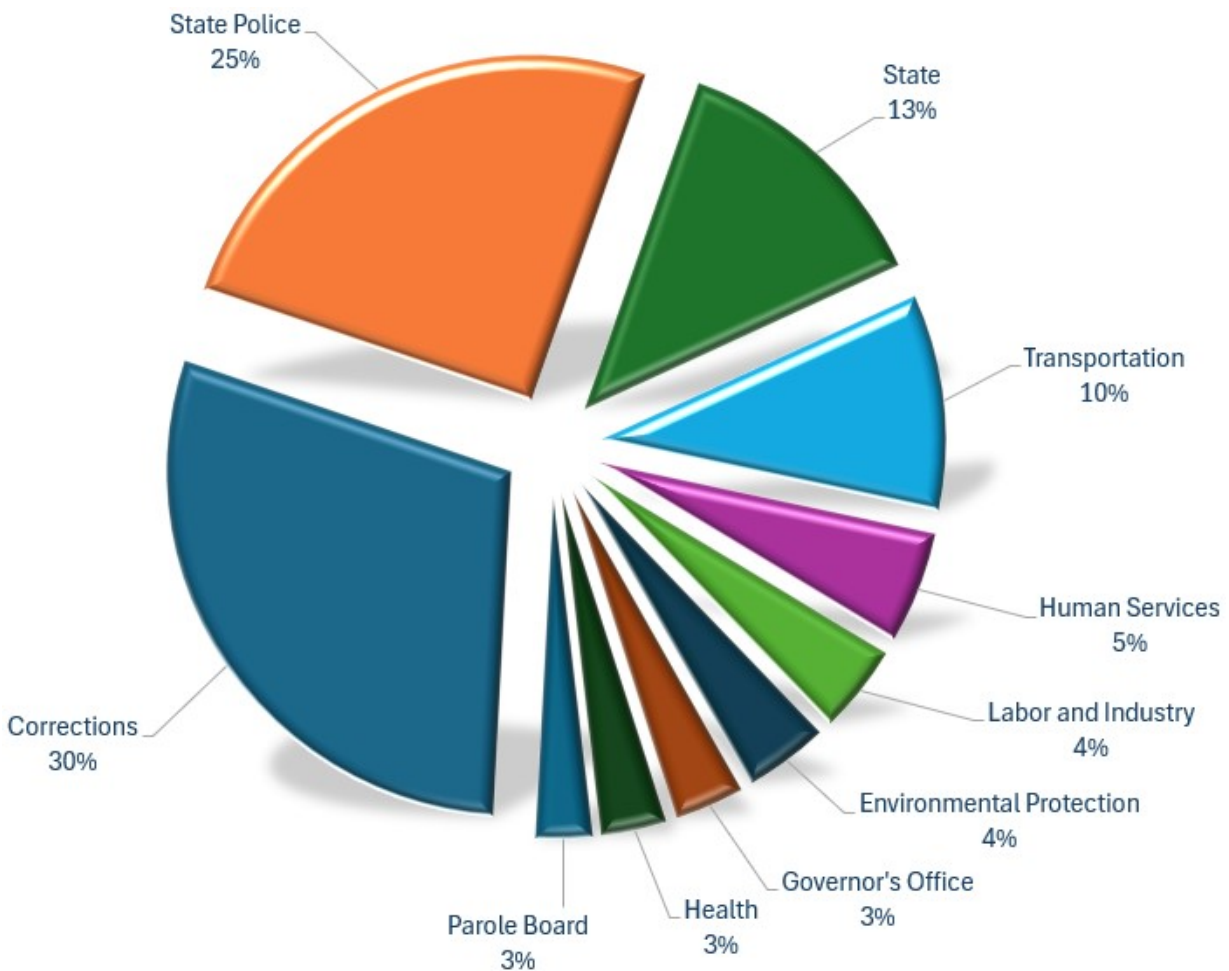


Appeals are commonly dismissed for being filed too early, too late or incomplete (appeals must include a copy of the request and agency response, if a response was issued). Appeals filed too early can be refiled. Appeals are transferred when the OOR is not the proper appeals officer (i.e. judicial offices or statewide row offices).

623 Appeals Involving State Agencies

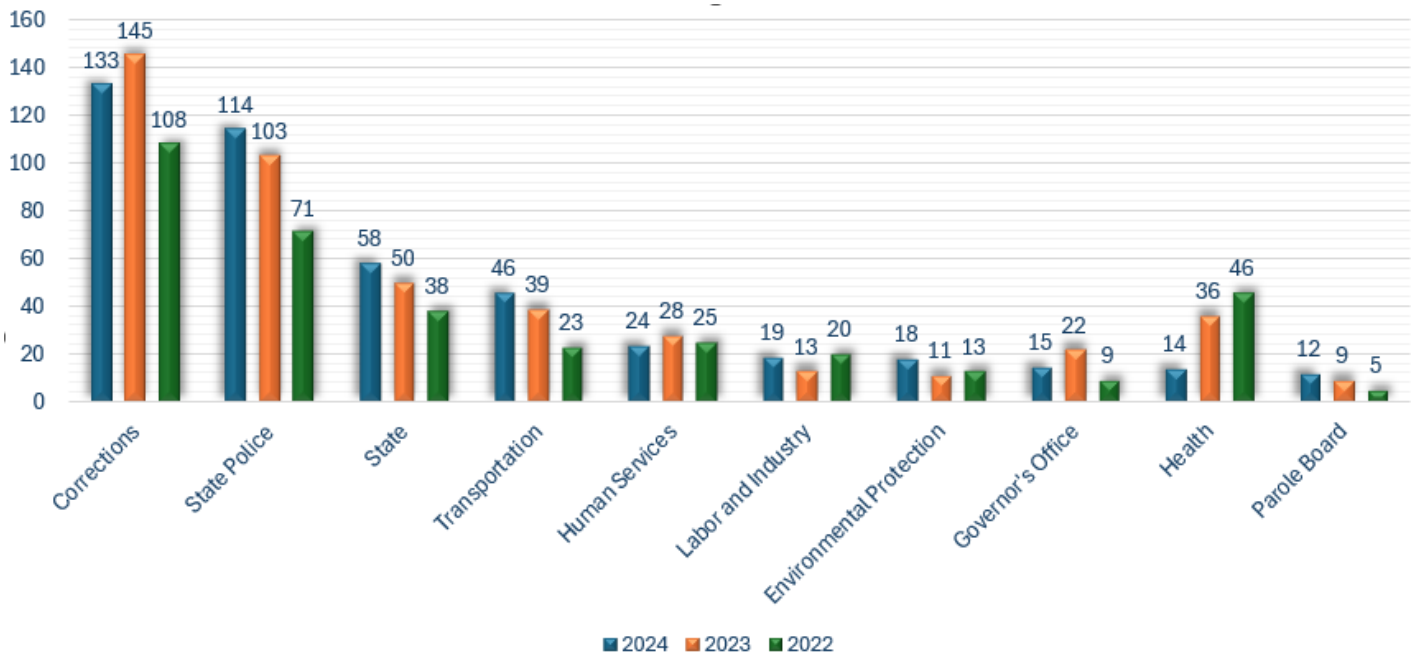
In 2024, the Department of Corrections was involved in more appeals than any other Commonwealth agency. Here's the full list:

- Department of Corrections, 133
- State Police, 114
- Department of State, 58
- Department of Transportation, 46
- Department of Human Services, 24
- Department of Labor and Industry, 19
- Department of Environmental Protection, 18
- Office of the Governor, 15
- Department of Health, 14
- Pennsylvania Parole Board, 12
- Other, 170



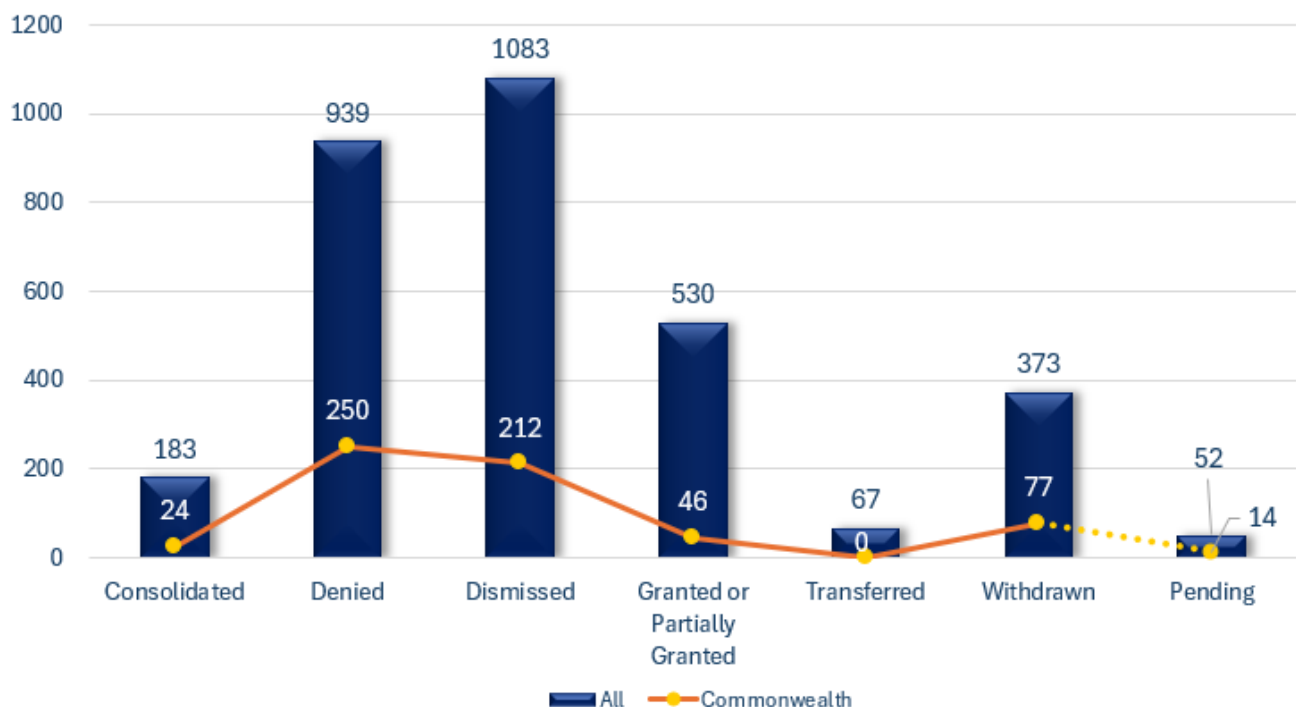
Increase and Decrease of State Agencies

In 2024, a few Commonwealth agencies saw fluctuations in the number of appeals filed compared to 2022 and 2023.



Breakdown of State Agency Appeals

Requesters obtain access to records when appeals are granted or withdrawn. In 2024, 20% of appeals involving Commonwealth agencies were granted, partially granted, or withdrawn while 40% were denied.



Issues Raised by Agencies During RTKL Appeals

Since 2018, the OOR has tracked the specific issues raised by agencies and addressed by Appeals Officers in their Final Determinations. This data gives some insight into the reasons most commonly raised by agencies for denying access to records.

Of the 30 exemptions specifically enumerated in Section 708(b) of the RTKL, these 10 were raised most often in 2024:

- Noncriminal Investigative Records, (b)(17), 189
- Criminal Investigative Records, (b)(16), 114
- Internal, Predecisional Deliberations, (b)(10), 89
- Personal Identification Information, (b)(6), 75
- Public Safety, (b)(2), 50
- Personal Security, (b)(1), 50
- Agency Employee Information, (b)(7), 35
- Building, Infrastructure and Utility Safety, (b)(3), 25
- Individual Medical Records, (b)(5), 24
- 911 Records (b)(18), 23

The OOR's Appeals Officers also heard hundreds of cases in which the agency asserted that the requested records weren't in possession, custody or control of the agency or were not records of the agency (711), the request was not specific or asked questions rather than seeking records (190), the records are exempt under another State law (86), the records are exempt under Federal law (34), the requested records did not exist (30), or the records are exempt another section of the RTKL (174).

Note: Many appeals before the OOR involve multiple exemptions and/or other reasons for denying access to records. Other sections of the RTKL may include, but are not limited to, protection of attorney-client privilege or the Pennsylvania Constitution's right to privacy.

10 Examples of Transparency Resulting from Public Access to Records in 2024

The goal of the RTKL is to make government records available to the public. These records can then be used to hold public officials accountable for their actions.

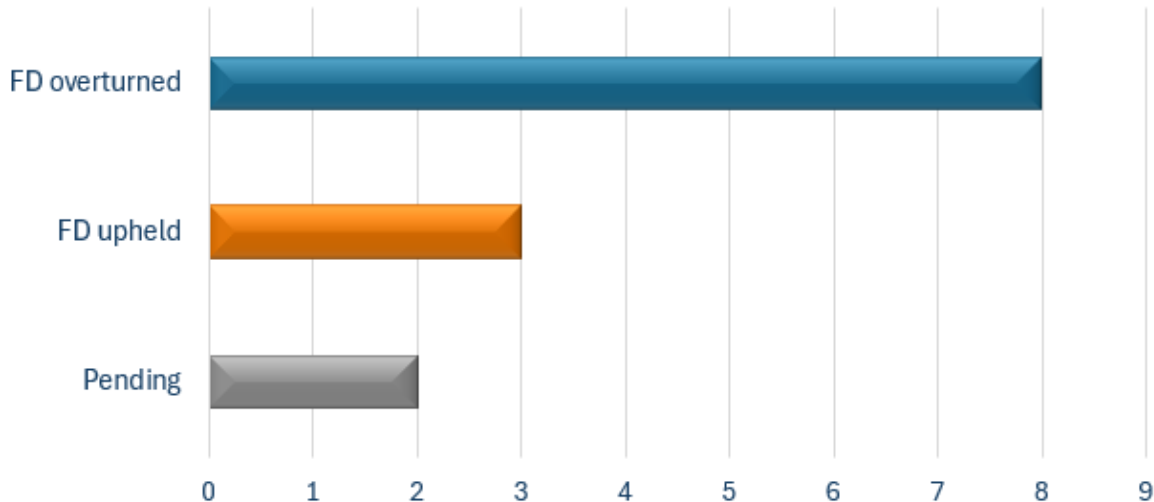
Here are some of the records accessed via the RTKL in 2024:

1. An email from a school district's attorney to a school board member and superintendent advising them to carefully review the \$1.75 million in legal fees billed by an outside law firm.
2. An agency did not fully disclose noncompliant ratings for county area agencies on aging.
3. Despite claiming to be severely underfunded, a law enforcement agency spent funds on a mascot, filing cabinets, DJs, branded materials, and catering.
4. Emails between agency officials discussing security plans for the rally where an assassination attempt was made on President Trump.
5. Over a span of sixteen months, the head of an agency attended 20 conferences, including several held in exclusive, out-of-state destinations.
6. A school district paid \$13,000 in legal fees over a two-month period for its work on Right-to-Know requests and a Sunshine Act complaint.
7. A county paid a settlement of \$135,000 to inmates for alleged unconstitutional conditions of confinement.
8. The Commonwealth of Pennsylvania paid a \$13 million settlement to a man who served 34 years in prison after being wrongfully convicted of murder.
9. A school district owes more than 600,000 hours of disability services to students that were not provided during the COVID-19 pandemic.
10. County prison staff were warned of a potential suicide risk five days before the incarcerated person committed suicide.

79 Petitions for Reconsideration

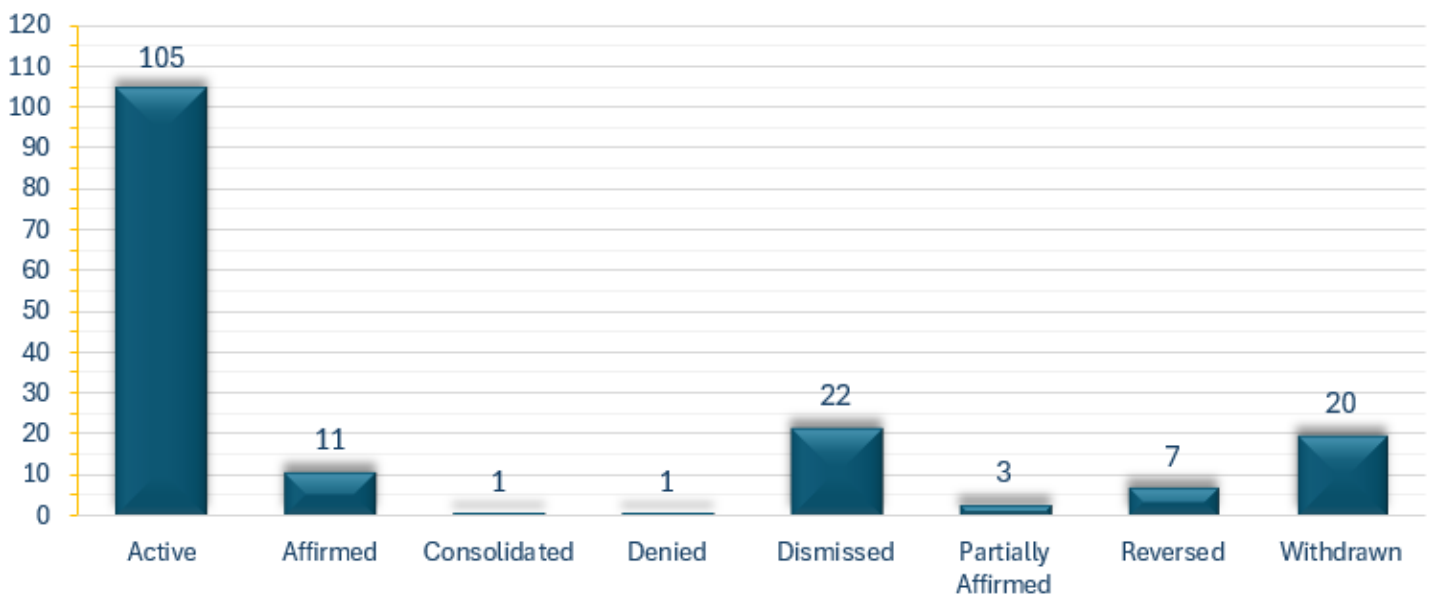
In 2024, 79 requests were made for the OOR to review final determinations for possible errors, known as a “petition for reconsideration.” This represents an increase from 59 in 2022. Of the 79 petitions for reconsideration, most (84 percent) were made by requesters, while less than a quarter (16 percent) were made by an agency.

Just 16 percent of petitions for reconsideration were granted by the OOR, with less than two thirds of those FDs being overturned.



170 Appellate Filings

Only five percent of OOR final determinations were appealed to a reviewing court in 2024. The OOR continues to monitor the 62% of those appeals pending before the Court of Common Pleas, Commonwealth Court, and Supreme Court. Below is a breakdown of the 38% that have already been decided.



94 Mediations

In 2024, 54 mediations (57% of the total filed) were successfully resolved through the OOR's mediation program. The program continues to be a fantastic way to efficiently resolve disputes under the RTKL. Several of the OOR's Appeals Officers are trained mediators, and mediations can take place via telephone or in person. When a mediation ends successfully, the appeal is withdrawn. That saves both sides the work and expense that goes into a formal appeal — and it prevents the case from moving to court. Either side can choose to end mediation at any time; if this happens, the traditional RTKL appeal process begins. More about the OOR's mediation program can be found at:

www.openrecords.pa.gov/Appeals/Mediation.cfm.

47 Training Sessions

The OOR is statutorily required to provide training sessions about the RTKL and the Sunshine Act. In 2024, 47 training sessions, mostly virtual, were attended by 2,785 public officials, lawmakers, judges, agency employees, solicitors, and requesters. Our complete training schedule can be found at:

www.openrecords.pa.gov/RTKL/TrainingAbout.cfm.

1,318 Right-to-Know Requests

2024 ranks as the OOR's second busiest year for receiving RTKL requests. As in previous years, however, the vast majority of the requests were misdirected. In other words, they did not seek records of the OOR; instead, they sought records of other agencies but were mistakenly filed with the OOR.

The vast majority (96 percent) of RTKL requests filed with the OOR last year were misdirected. Just 56 requests were for OOR records, usually copies of case files, Agency Open Records Officer contact information, OOR X (formerly Twitter) messages, email exchanges, staff salary and contact information, staff training manual, OOR phone call logs, internet history, and OOR forms. More information on the RTK Requests for OOR records, including copies of the records provided, can be found at:

<https://www.openrecords.pa.gov/RTKL/RequestSearch.cfm>.

2024 Accomplishments

Here are some of OOR's accomplishments in 2024:

1. Docketed 3,227 appeals and issued 3,292 final determination, the highest numbers in the Office's 16 years of existence.
2. Conducted 47 training sessions, including a bi-weekly virtual training session, reaching nearly 3,000 participants.
3. Updated the [Standard Right-to-Know Law Request Form](#).
4. Hosted an Annual Training in November for 411 participants, discussing topics such as the updated Standard Right-to-Know Request Form, anonymous requesters, and other recent developments.
5. Conducted a [Survey of Agency Open Records Officers](#) to better understand the impact of RTKL requests on agencies finding that 75% of AOROs regularly invoke a 30-day extension and nearly half of RTKL requests are from for-profit businesses. The report also included in-depth interviews with 30 AOROs.
6. Executive Director participated in a Sunshine Week Summit with the past executive directors to discuss OOR and the RTKL for the past 15 years.
7. Participated in or monitored nearly 400 RTKL cases in the Supreme Court, Commonwealth Court, and Courts of Common Pleas.

A Message from the Executive Director

In 2024, the Office of Open Records experienced yet another record-breaking year, receiving 3,227 appeals and issuing 3,292 final determinations. As the country and world face a constant barrage of historical events, the OOR remains an invaluable tool for openness, transparency, and accountability for Pennsylvania's government agencies. The OOR's remarkable staff met this increase in demand with dedication, tenacity, and a commitment to justice.

Thank you to these public servants:

Kyle Applegate, Megan Burns, Nathan Byerly, Jordan Davis, Damian DeStefano, Dylan Devenyi, Angie Edris, Blake Eilers, Lyle Hartranft, Catherine Hecker, Faith Henry, Katie Higgins, Kelly Isenberg, Bandy Jarosz, Felecia Khorram, Michele Kusery-Grant, Joshua Macel, Daneen Miller-Smith, Tope Quadri, Erika Similo, Janelle Sostar, George Spiess, Ian Spiess, Joshua Young, Magdalene Zeppos-Brown and the 2024 summer interns, Ethan Lown and Kaitlyn Ponessa.

