In re: Appeal of denial of Open Records Request

Dear Open Records Officer Woleslagle and Mr. Prisby:

I am the Open Records Appeal Officer for the District Attorney of Allegheny County. On or about June 24, 2016 I received a Right to Know Appeal which was forwarded to me by J. Chadwick, Esquire, Appeals Officer, Office of Open Records.

From the correspondence I received it appears that on May 27, 2016 Mr. Prisby made the following request for records from the Pleasant Hills Police Department:

Since charges were dismissed and are now “open records”, any and all evidence, testimony, transcripts, etc. made by Margaret Elizabeth Ali and Haley Lynn Kelly (Haeck) that led to charges against me.

On June 3, 2016 Officer Jason Woleslagle wrote to Mr. Prisby and provided him with a redacted copy of the Incident Report relating to the incident involving the respective parties. Some information was withheld based upon the following explanation:
However the Pleasant Hills Police Department has withheld information that is exempt from disclosure by law. We redacted, “A record of an agency relating to or resulting in a criminal investigation including: “Complaints of potential criminal conduct other than a private criminal complaint,” “Investigative materials, notes, correspondence, videos, and reports,” “Victim information, including and (sic) information that would jeopardize the safety of the victim,” “A record that is disclosed would reveal the institution, progress or result of a criminal investigation except the filing of criminal charges,” as outlined in Section 708(b).

This information is exempt from disclosure under section 708(b)(16)(i); 708(b)(16)(ii); 708(b)(16)(v) & 708(b)(16)(vi)(A) respectively, of the PA Right-to-Know law.


I must therefore deny this appeal. Please be advised that the parties have 30 days to appeal this decision to the Court of Common Pleas. See 65 P.S. §67.1302.

Very Truly Yours,

Michael W. Streily
Deputy District Attorney