



**PENNSYLVANIA STATE POLICE**  
DEPARTMENT HEADQUARTERS  
1800 ELMERTON AVENUE  
HARRISBURG, PENNSYLVANIA 17110

Mailing Date: October 17, 2024

Jason Goodman  
[REDACTED]

PSP/RTKL Request N° 2024-2118

Dear Mr. Goodman:

On September 10, 2024, the Pennsylvania State Police (PSP) received your request for information pursuant to Pennsylvania's Right-to-Know Law (RTKL), 65 P.S. §§ 67.101 – 67.3104, wherein you requested:

all available body camera, dash camera or other video, audio or photographs recorded by PA State police on July 13, 2024 at the Butler PA Donald Trump Rally and any other state police documents related to the shooting, the rally, the suspects or any other relevant information

A copy of your request is enclosed. By letter dated September 17, 2024, you were notified in accordance with RTKL section 67.902(b) that PSP required an additional thirty days to prepare this final response to your request.

Your request is granted in part and denied in part. Your request is granted insofar as the responsive two-page Public Information Release Report (marked for identification as PSP/RTK000001 – PSP/RTK000002). This document is enclosed with this letter.

However, your request is respectfully denied because the records you seek are not available to the public. The Right-To-Know Law (RTKL) only requires Commonwealth agencies to provide documents that are public records. 65 P.S. § 67.301. It is well settled that the Pennsylvania State Police (PSP) is a Commonwealth agency within the meaning of the RTKL. See *id.* § 67.101; *Dekok v. PSP*, OOR Dkt. AP 2011-0086 at 4. A document is not a public record if: (1) it is specifically exempted from disclosure in section 67.708 of the RTKL; (2) it is not otherwise exempt under other federal or state law; or (3) it is protected by a privilege. 65 P.S. § 67.102 (defining "Public Record").

Under the first limitation on the public record definition, PSP General Offense Report N° PA 2024-924893 (formerly referred to as "Homicide Investigation Report"), details a PSP investigation into a complaint of criminal activity. Thus, the report and each of its components, which includes "photographs and documents," are "records of an agency relating to or resulting in a criminal investigation," which is exempt from public disclosure under RTKL section 67.708(b)(16). Furthermore:

- The report contains "[c]omplaints of potential criminal conduct other than a private criminal complaint[.]" and, thus, is exempt from public disclosure under RTKL section 67.708(b)(16)(i).
- Because they reflect the findings and conclusions, as well as the actions, observations and notes of investigating troopers, the report's components constitute "[i]nvestigative materials, notes, correspondence, . . . and reports," all of which are exempt from public disclosure under RTKL section 67.708(b)(16)(ii).
- In its entirety, as well as in its components, the report is "[a] record that, if disclosed, would . . . [r]eveal the institution, progress, or result of a criminal investigation," and, therefore, exempt from public disclosure under RTKL section 67.708(b)(16)(vi)(A).
- The report contains personal identifying information, all of which are exempt from public disclosure under RTKL section 67.708(b)(6)(i)(A).
- The report "[i]ncludes . . . victim information," (e.g., the victim's full name, birth date, residential address and telephone number) and, thus, is exempt from public disclosure under RTKL section 67.708(b)(16)(v).
- Yet, none of the report's components comprises original records of entry, a chronology of arrests, the identification of arrested individuals, the specification of criminal charges or any other "information contained in a police blotter as defined in 18 Pa. C.S. § 9102" that would be accessible to the public.

*Pa. State Police v. Office of Open Records*, 5 A.3d 473, 478 n.4 (Pa. Commw. Ct. 2010) (en banc). A supporting verification accompanies this letter.

Following the second limitation, disclosing the report or its components to you would violate Pennsylvania's *Criminal History Record Information Act* (CHRIA), 18 Pa. C.S. §§ 9101-9183, which prohibits criminal justice agencies from disseminating investigative information, except to other criminal justice agencies. 18 Pa.C.S. § 9106(c)(4). CHRIA defines "investigative information" as "[i]nformation assembled as a result of the performance of any inquiry, formal or informal, into a criminal incident or an

allegation of criminal wrongdoing.” *Id.* § 9102. Therefore, PSP is barred by CHRIA from providing you with access to the records you have requested. See *McGarvey v. Pa. State Police*, Dkt. AP 2009-0522 (Glinn) (CHRIA section 9106 protects criminal investigation report, in its entirety, from public disclosure).

In response to your request for “body camera, dash camera, or other video and audio,” requests for audio or video of law enforcement agencies are not processed through the Right to Know Law process. Act 22 of 2017 (specifically, Chapter 67A of the Act) establishes a new process for requesting audio and video recordings in the possession of a law enforcement agency in Pennsylvania.

Section 67A02(a) of the Judicial Code provides the following:

The provisions of this chapter, and not the act of February 14, 2008 (P.L. 6, No. 3), known as the Right-to- Know Law shall apply to any audio recording or video recording made by a law enforcement agency.

42 Pa.C.S. § 67a02a.

The Judicial Code does provide a procedure by which an individual may request an audio or video recording made by a law enforcement agency. Section 67A03 provides the following:

67A03. Requests for law enforcement audio recordings or video recordings.

The following shall apply:

- (1) An individual who requests an audio recording or video recording made by a law enforcement agency shall, within 60 days of the date when the audio recording or video recording was made, serve a written request to the individual who is designated as the open-records officer for the law enforcement agency under section 502 of the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. Service is effective upon receipt of the written request by the open-records officer from personal delivery or certified mail with proof of service.
- (2) The request under paragraph (1) shall specify with particularity the incident or event that is the subject of the audio recording or video recording, including the date, time and location of the incident or event.
- (3) The request shall include a statement describing the requester's relationship to the incident or event that is the subject of the audio or video recording.

- (4) If the incident or event that is the subject of the audio recording or video recording occurred inside a residence, the request shall identify each individual who was present at the time of the audio recording or video recording unless not known and not reasonably ascertainable.

Should you follow the procedures outlined above, the PSP will process your request in accordance with the Judicial Code, 42 Pa.C.S. 101 et. seq. However, please note, audio and video recordings that contain investigative information of a criminal offense are exempted.

Lastly, please be advised this is an **open, ongoing** criminal investigation and supplemental records will be added as the investigation continues and upon completion.

To the extent that your request seeks or may be construed to seek records involving covert law enforcement investigations, including intelligence gathering and analysis, PSP can neither confirm, nor deny the existence of such records without risk of compromising investigations and imperiling individuals. UNDER NO CIRCUMSTANCES, therefore, should this response to your request be interpreted as indicating otherwise. In all events, should such records exist, they are entirely exempt from public disclosure under RTKL and CHRIA.

You have a right to appeal this response in writing to the Office of Open Records, 333 Market Street, 16<sup>th</sup> Floor, Harrisburg, PA 17101-2234. The pertinent OOR appeal form is available for your use at, <https://www.dced.state.pa.us/public/oor/appealformgeneral.pdf>. If you choose to appeal, within 15 business days of the mailing date of this response, you must send to OOR:

- 1) this response;
- 2) your request; and
- 3) the reason(s) why you think the agency wrongfully denied your request. (a statement addressing any grounds provided by the agency for denying you access to the records you seek). If the agency gave several reasons why your access is denied, state which reasons you think are wrong.

Respectfully,



Victoria Dreisigacker  
Deputy Agency Open Records Officer  
Pennsylvania State Police  
Bureau of Records & Identification

Right-to-Know Law/Subpoena Section  
1800 Elmerton Avenue  
Harrisburg, Pennsylvania 17110  
Email: RA-psprighttoknow@pa.gov  
1.877.785.7771 (Main); 717.525.5795 (Fax)

Enclosures: PSP/ RTKL Request N° 2024-2118  
Granted "public record," PSPRTK000001-PSP/RTK000002  
Dreisigacker Verification

PENNSYLVANIA STATE POLICE  
DEPARTMENT HEADQUARTERS

VERIFICATION OF  
VICTORIA DREISIGACKER  
DEPUTY AGENCY OPEN RECORDS OFFICER

I, Victoria Dreisigacker, Deputy Agency Open Records Officer of the Pennsylvania State Police (variously, PSP or Department), am authorized to prepare this verification in response to PSP/RTKL Request N° 2024-2118. Accordingly, on this 17th day of October, 2024, I verify the following facts to be true and correct, to the best of my knowledge or information and belief:

1. I am familiar with PSP/RTKL Request N° 2024-2118, which is attached to this verification.
2. Utilizing the information provided, I have searched all relative PSP Databases where responsive information may be stored.
3. As a result of my searches, I identified and retrieved the responsive PSP record designated, PSP General Offense Report N° PA 2024-924893.
4. I personally examined the responsive report and found it to be manifestly related to a criminal investigation. PSP General Offense Report N° PA 2024-924893 (formerly referred to as "Homicide Investigation Report"), and each of its components, which includes "photographs and documents," is a multiple page record assembled by Troopers on or after July 13, 2024, as a result of an investigation into a criminal incident or an allegation of criminal wrongdoing. Furthermore:
  - a. The report contains "[i]nformation assembled as a result of the performance of any inquiry, formal or informal, into a criminal incident or an allegation of criminal wrongdoing," 18 Pa. C.S. § 9102, and, thus, is exempt from public disclosure under RTKL section 67.708(b)(16)(i).
  - b. The report's component records reflect the findings and conclusions, as well as the actions, observations



and notes of investigating troopers, thus constituting “investigative materials, notes, correspondence, . . . and reports,” all of which are exempt from public disclosure under RTKL section 67.708(b)(16)(ii).

- c. Based on its content, the report is clearly “a record that, if disclosed, would reveal the institution, progress, and result of a criminal investigation,” and, therefore, exempt from public disclosure under RTKL section 67.708(b)(16)(vi)(A).
- d. The report contains personal identifying information, all of which are exempt from public disclosure under RTKL section 67.708(b)(6)(i)(A).
- e. The report “[i]ncludes . . . victim information,” (e.g., the victim’s full name, birth date, residential address and telephone number) and, thus, is exempt from public disclosure under RTKL section 67.708(b)(16)(v).
- f. Yet, none of the report’s components comprises original records of entry, a chronology of arrests, the identification of arrested individuals, the specification of criminal charges or any other “information contained in a police blotter as defined in 18 Pa. C.S. § 9102.”

- 5. Furthermore, disclosing the report or its components to the requestor would violate Pennsylvania’s Criminal History Record Information Act (CHRIA), Pa. C.S. §§ 9101-9183, which prohibits criminal justice agencies from disseminating investigative information, except to other criminal justice agencies.
- 6. Accordingly, I withheld these records from public disclosure, and provided the requester with a copy of the Public Information Release Report.
- 7. Furthermore, in response to the request for “body and dash camera footage”, the requestor was advised requests for audio or video recordings of law enforcement agencies are not processed through the Right to Know Law process. Act 22 of 2017 (specifically, Chapter 67A of the Act) establishes a new

process for requesting audio and video recordings in the possession of a law enforcement agency in Pennsylvania.

8. Accordingly, I withheld this record from public disclosure, and provided the requestor with the procedure for obtaining the requested "body camera, dash camera, or other video and audio."
9. Lastly, the requestor was advised this is an ***open, ongoing*** criminal investigation and supplemental records will be added as the investigation continues and upon completion.

**I understand that false statements made in this verification are subject to penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.**

A handwritten signature in black ink that reads "Victoria Dreisigacker". The signature is written in a cursive style with a large, looping "V" and a trailing "er" at the end.

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Victoria Dreisigacker  
Deputy Agency Open Records Officer  
Pennsylvania State Police





PENNSYLVANIA STATE POLICE  
**RIGHT-TO-KNOW LAW REQUEST**  
www.psp.pa.gov  
1-877-RTK-PSP1 (1-877-785-7771)

2024-2118  
9/17/24

REQUEST DATE: 09/10/2024

NAME OF REQUESTER: Goodman Jason  
(Please Print Legibly) (Last) (First) (MI)

MAILING ADDRESS: [REDACTED]  
(Street/PO Box)  
[REDACTED], [REDACTED] 1  
(City) (State) (Zip Code)

TELEPHONE (Optional): [REDACTED] FAX (Optional): [REDACTED]

EMAIL (Optional): [REDACTED]

**RECORDS REQUESTED:** Please identify each of the documents that are subject to this request with sufficient specificity so we can ascertain whether we have these documents and how to locate them.

all available body camera, dash camera or other video, audio or photographs recorded by PA State police on July 13, 2024 at the Butler PA Donald Trump Rally and any other state police documents related to the shooting, the rally, the suspects or any other relevant information

To the extent that this request seeks or may be construed to seek Pennsylvania State Police records involving covert law enforcement investigations, including intelligence gathering and analysis, the Department can neither confirm, nor deny the existence of such records without risk of compromising investigations and imperiling individuals. UNDER NO CIRCUMSTANCES, therefore, should the Department's response to this request be interpreted as indicating otherwise. In all events, should such records exist, they are entirely exempt from public disclosure under the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104, and the Criminal History Record Information Act, 18 Pa.C.S. §§ 9101-9183.

Production of requested public records is subject to prepayment of all RTKL fees. For security purposes, this agency will only produce public records in paper format, unless the records exclusively exist in another medium.

**PLEASE MAIL, DELIVER IN PERSON, FAX, OR EMAIL YOUR REQUEST TO:**

Pennsylvania State Police  
Bureau of Records & Identification  
ATTN: AGENCY OPEN RECORDS OFFICER  
1800 Elmerton Avenue  
Harrisburg, PA 17110-9758

FAX: 717-525-5795

EMAIL: (RA-psprighttoknow@pa.gov)

PSP/RTKL TRACKING NO.: \_\_\_\_\_

AORO RECEIPT DATE-STAMP: \_\_\_\_\_

FINAL RESPONSE DATE: \_\_\_\_\_

CALCULATED RESPONSE DUE DATE: \_\_\_\_\_

FINAL RESPONSE DUE DATE: \_\_\_\_\_

2024 SEP 10 A 4:29  
RIGHT TO KNOW  
RECEIVED

## Capurro, Kaitlyn

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**From:** Jason Goodman <truth@crowdsourcethetruth.org>  
**Sent:** Tuesday, September 10, 2024 12:51 AM  
**To:** SP, PSP RIGHT TO KNOW  
**Subject:** [External] RTK request Butler PA Donald Trump Rally July 13, 2024  
**Attachments:** RTK\_Request\_FormPA state police.pdf

ATTENTION: This email message is from an external sender. Do not open links or attachments from unknown senders. To report suspicious email, use the Report Phishing button in Outlook.

<<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.oa.pa.gov%2FDocuments%2FCofense-Report-Phishing-User-Guide.pdf&data=05%7C02%7CRA-psprighttoknow%40pa.gov%7Ca78eba0c2edd4fc58d8108dcd154273e%7C418e284101284dd59b6c47fc5a9a1bde%7C0%7C0%7C638615406958875094%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C40000%7C%7C%7C&sdata=6GDILkul0bkziLW3M4ERDWInMGVJmtYozirOqF%2FVibQ%3D&reserved=0>>

RECEIVED  
2024 SEP 10 A 9:29  
OFFICE



PENNSYLVANIA STATE POLICE  
PUBLIC INFORMATION RELEASE REPORT

|   |   |                                      |
|---|---|--------------------------------------|
| STATION<br><b>BUTLER CRIME UNIT</b>                         |   | CAD/CASE NO<br><b>PA 2024-924893</b> |
| INVESTIGATING OFFICER<br><b>WEAVER,D,12027</b>              | DATE/TIME OF INCIDENT<br><b>07/13/2024 1811</b> |                                      |
| NATURE OF INCIDENT<br><b>HOMICIDE INTENTIONAL</b>           |   |                                      |
| LOCATION<br><b>EVANS CITY RD</b>                            |   |                                      |
| MUNICIPALITY(COUNTY)<br><b>CONNOQUENESSING TWP (BUTLER)</b> |   |                                      |

PERSON(S) INVOLVED (Age based off incident occurrence date):

**VICTIM:** 50, M, SARVER, PA

**VICTIM:** 74, M, MOON TOWNSHIP, PA

**VICTIM:** 57, M, NEW KENSINGTN, PA

**VICTIM:** 57, M, PALM BEACH, FL

INCIDENT DETAILS:

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*In the interest of transparency, it is the policy of PSP to disseminate information regarding incidents which are likely to generate significant interest among the public and media in a timely manner. While we make every effort to ensure the information is accurate to the best of our knowledge and belief, incidents are often fluid and rapidly evolving. Information provided should be considered preliminary and subject to change as additional investigative details emerge.*

The Pennsylvania State Police are investigating a Homicide which occurred during an event at the aforementioned location. The Pennsylvania State Police has publicly released numerous video and written statements through the media and open source social media in regards to this investigation.

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***In the interest of transparency, it is the policy of PSP to disseminate information regarding incidents which are likely to generate significant interest among the public and media in a timely manner. While we make every effort to ensure the information is accurate to the best of our knowledge and belief, incidents are often fluid and rapidly evolving. Information provided should be considered preliminary and subject to change as additional investigative details emerge.***