

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION

COVER SHEET

<p>Plaintiff(s) Vs Ken Silva and HEADLINE USA</p>	<p>SA-24-000675</p>
<p>Vs.</p>	<p>Case Number :</p>
<p>Defendant(s) Municipality of Bethel Park Police Department</p>	<p>Type of pleading : Motion for In Camera Review</p>
	<p>Filed on behalf of Petitioners Ken Silva and HEADLINE USA</p>
	<p>(Name of the filing party)</p>
	<p><input checked="" type="checkbox"/> Counsel of Record <input type="checkbox"/> Individual, If Pro Se</p>
	<p>Address, Telephone Number, and Email Address: J. Chadwick Schnee, Esq. Schnee Legal Services, LLC 74 E. Main Street, #648 Lititz, PA 17543 717-400-5955 chadwick@schneelegal.com</p>
	<p>Attorney's State ID 306907</p>
	<p>Attorney's Firm ID</p>

KEN SILVA AND HEADLINE USA, : IN THE COURT OF COMMON PLEAS
Petitioners, : ALLEGHENY COUNTY,
 : PENNSYLVANIA
v. : CIVIL DIVISION
MUNICIPALITY OF BETHEL PARK :
POLICE DEPARTMENT, :
Respondent. : NO. SA-24-000675

ORDER

AND NOW, this ___ day of _____, 2025, upon consideration of Petitioners' Motion for *In Camera* Review, it is hereby ORDERED that the Respondent Municipality of Bethel Park Police Department shall submit a copy of any and all recordings responsive to Petitioners' August 12, 2024 Right-to-Know Law to the Court for *in camera* review within _____ days of this Order.

BY THE COURT:

Daniel D. Regan, J.

J. Chadwick Schnee, Esquire (PA 306907)
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Attorney for Petitioner

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MOTION FOR *IN CAMERA* REVIEW

Ken Silva and Headline Usa “Petitioners”), by and through their undersigned counsel, J. Chadwick Schnee, Esq., hereby ask this Honorable Court to order the Respondent Municipality of Bethel Park Police Department (“Respondent”) to submit a copy of any and all recordings responsive to Petitioner’s August 12, 2025 Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, request for the Court’s *in camera* review. In support of this motion, Petitioners state as follows:

1. On August 12, 2024, Petitioner submitted a RTKL request to Respondent seeking:

Recordings of any and all calls made by the parent or parents of Thomas Crooks ... on the day that Crooks shot at Donald Trump at the July 13 campaign rally in Butler...[and] any other documentation Bethel Police have of any calls, including reports or internal communications as a result of the calls.

See Petition for Review (“Petition”) at Ex. B.

2. Respondent denied the request, and, on appeal to the Office of Open Records (“OOR”), the OOR issued a Final Determination denying the appeal. See Petition at Ex. A.

3. Petitioners subsequently filed a Petition for Review with this Court, asserting that the public interest in disclosing the 911 recording outweighs any interest in nondisclosure and requesting reversal of the OOR’s Final Determination.

4. This Court has jurisdiction under 65 P.S. § 67.708(b)(18)(ii) to determine whether the public interest in disclosing the 911 recording outweighs the interest in nondisclosure, thereby overriding the exemption under 65 P.S. § 67.708(b)(18)(i).

5. This Court has the authority to conduct *in camera* reviews in RTKL matters. w does not expressly restrain a court from reviewing other material, such as a stipulation of the parties, or an *in camera* review of the documents at issue. See *Bowling v. Off. of Open Recs.*, 990 A.2d 813, 820 (Pa. Commw. 2010), *aff’d* 75 A.3d 453 (Pa. 2013); *ACLU of Pennsylvania v. Pennsylvania State Police*, 232 A.3d 654, 669 (Pa. 2020) (“Pennsylvania courts routinely rely upon—and this Court has blessed—*in camera* review to assess the application of various privileges, including where anticipated effects of disclosure are critical elements of the determination”); see, e.g., *Chambersburg Area Sch. Dist. v. Dorsey*, 97 A.3d 1281, 1285 (Pa. Commw. 2014) (noting that a lower court conducted an *in camera* review of records in a RTKL matter).

6. An *in camera* review is necessary for the Court to evaluate the content of the 911 recording and assess whether the public interest justifies its disclosure. Such a review allows the Court to examine the recording privately, ensuring that potentially sensitive information is not prematurely disclosed.

7. The 911 recording(s) at issue pertain to calls made by the parent or parents of Thomas Crooks on July 13, 2024, the date of the attempted assassination of President Trump. The recording is critical to resolving public ambiguity — highlighted by conflicting reports and FBI Director Christopher Wray’s uncertain congressional testimony — regarding whether the call occurred before or after the assassination attempt at 6:11 p.m. *See* Petition at ¶15.

8. Disclosure of the recording would serve the public interest by (1) clarifying the timeline of events surrounding the attempted assassination; (2) shedding light on the contents of the call and what information was conveyed to law enforcement; and (3) enabling scrutiny of law enforcement’s response to the incident, consistent with the RTKL’s purpose to “prohibit secrets, scrutinize the actions of public officials and make public officials accountable for their actions.” *Bowling*, 990 A.2d at 824.

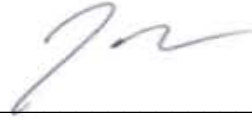
9. Other agencies have already released similar records, such as body camera footage and 911 calls related to the July 13, 2024, incident, recognizing the significant public interest in transparency. *See* Petition at ¶23.

10. Without an *in camera* review, the Court lacks the necessary information to balance the public interest in disclosure against any purported interest in nondisclosure, as required by 65 P.S. § 67.708(b)(18)(ii).

11. Counsel for Petitioners have contacted counsel for Respondent to see if they oppose this Motion, and Petitioners have not yet received an answer as to whether Respondent is opposed.

WHEREFORE, Petitioner respectfully requests that this Honorable Court grant this motion and order the Respondent to submit a copy of any and all responsive 911 recordings to the Court for *in camera* review within a reasonable timeframe as determined by the Court.

Respectfully submitted,



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Dated: June 20, 2025

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial Systems of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.



J. Chadwick Schnee, Esq.
PA ID 306907

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CERTIFICATE OF SERVICE

I, J. Chadwick Schnee, Esq., certify that on this 20th day of June, 2025, I have sent a true and correct copy of the attached Motion to the following individuals via electronic mail:

Christopher L. Voltz, Esq.
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cvoltz@tuckerlaw.com

/s/ J. Chadwick Schnee, Esq.
J. Chadwick Schnee, Esq.