



pennsylvania

OFFICE OF OPEN RECORDS

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2015: Record Level of Appeals

Top 5 months:

- Aug. 2015 – **344 appeals** filed
- June 2015 – 313
- July 2015 – 261
- Sept. 2013 – 244
- April 2015 – 241

2015: Requests to the OOR

OOR has received **674 RTK requests** in 2015.

- 90% of requests (*not appeals*) are misdirected
- 247 filed by citizens
- 191 filed by companies
- 147 filed by inmates
- OOR directs the requesters to the appropriate agency whenever possible

Photographing Public Records

On Aug. 14, OOR held (*Muenz v. Twp of Reserve*) that requesters can photograph public records which they asked to inspect.

- Good for requesters and agencies
- Saves requesters money
- Saves agencies time and money

MVRs: Dashcams & Bodycams

In July, Commonwealth Court found (*PSP v. Grove*) that “video recordings of interaction between law enforcement officers and members of the public in a public place” are public records under the RTKL.

Senior Judge Colins: “MVRs are at the core [of] the RTKL’s purpose of enabling the public to ‘scrutinize the actions of public officials, and make public officials accountable for their actions’.”

Supreme Court: PSEA Case

This case deals with home addresses of agency employees, specifically school employees.

- Court has not scheduled hearing date
- No constitutional right to privacy for home addresses; however...
 - What due process rights do employees have?
 - How about non-employees?

Expanding OOR Outreach

Training:

- 42 training sessions held or scheduled in 2015
- Training most often for agencies, but has been and can be for requesters
- George Spiess, Chief of Training & Outreach

Expanding OOR Outreach

Blog:

- Writing regularly on RTKL & transparency issues:

<http://openrecordspa.wordpress.com>

- Court decisions
- OOR decisions
- OOR statistics
- RTKL tips

Expanding OOR Outreach

Podcast:

- Open Records in Pennsylvania podcast on iTunes & also at the blog:
<http://openrecordspa.wordpress.com>
- Ep. 1: Common RTKL questions & mistakes
- Ep. 2: Interview w/ Senator Pileggi
- Eps. 3 & 4: Tips for requesters / agencies

Other Initiatives

Regulations:

- OOR has authority to promulgate regulations governing its process; has not yet done so

Mediation:

- Can be a tremendous tool to reduce litigation

Hearings:

- Time-consuming, but more would be helpful

Senate Bill 411

Status:

- Approved by Senate State Gov't Cmte
- Must go to Approps Cmte, then full Senate

Process:

- Sen. Pileggi meeting with interested people
- Asked me to continue working with him
- Likely to be more amendments
- Numerous discussions with PNA



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THANK YOU

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