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January 7, 2011

TO: All House Members

FROM: Representative Rob Kauffman
89th Legislative District

SUBJECT: Proposed Legislation – Right to Know Law (Former House Bill 605)

One of the primary objectives of implementing the Right-to-Know law was to strike a proper balance between allowing citizens to access government records while protecting certain aspects of personal privacy and safety. In the end, the law that the General Assembly passed allowed for exceptions related to certain personal identifying information such as a person's Social Security number, driver's license number, telephone numbers, or personal e-mail address, that if released could jeopardize their safety or the safety of their identity.

However, what the law does not take into account are the unique privacy and safety issues present for employees of the Department of Corrections who often come in contact with violent offenders of the law. While these employees are distinguished from other Commonwealth employees because their first name, date of birth, and voting county are protected from access, I believe another step must be taken to protect Department of Corrections employees from those who may seek to use information provided under the open records law for improper intentions.

I intend to re-introduce legislation that would amend Pennsylvania's Right-to-Know Law so that upon receiving a request for a public record containing personal identification information of an employee of the Department of Corrections, such as their full name or home address, the agency would be required to determine if the requester has been convicted of a felony in Pennsylvania. If the requester is determined to be a felon, the agency would deny access to the portion of the record containing the personal information.

If you would like to co-sponsor this legislation, please contact Elana Maynard at 705-2004 or via email at emaynard@pahousegop.com.

Thank you.