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MEMORANDUM

TO: All House Members

FROM: Representative Joseph Hackett *JH*

SUBJECT: Prohibition Against Release of 9-1-1 Info

DATE: March 7, 2011

In the near future, I am planning to introduce legislation that will amend Title 35 (Health and Safety) to protect the rights of individuals who make 9-1-1 emergency calls.

Recently, the Commonwealth Court of Pennsylvania, in the case of *County of York v. Pennsylvania Open Records and Ted Czech*, held that the Right-to-Know Law required the County of York to release destination addresses or cross-street information with its 9-1-1 time response logs.

I think most would agree that it was never the intent of the Open Records Act of 2008 to provide the public with any information that could reveal the identity of 9-1-1 callers. My legislation will clarify to the courts and to the public, that information revealing the identity of a 9-1-1 caller is not a record to be included under the Open Records Law. This measure would prohibit the release of identifying information relating to individuals calling a 9-1-1 center unless a court determines that the public interest in disclosure outweighs the interest in nondisclosure. Specifically, the bill would prohibit the release of a caller's name, telephone number, address and location.

I believe this legislation is needed to ensure the safety and privacy of individuals who call 9-1-1 for emergency services. The information recorded during 9-1-1 calls can often contain very sensitive details that, if released to the public, could pose a grave danger to callers and victims. In addition, it will ensure that people who report crimes and witnesses are afforded protection and are able to remain anonymous.

If you wish to join me in sponsoring this legislation, please contact Amy Barr in my office at 260-6168 or email abarr@pahousegop. I would appreciate your support and co-sponsorship.

JTH/ab