



# Open Records Policy

Effective: January 1, 2009  
Last updated: September 8, 2020

## Open Records Policy

The City of Philadelphia has adopted a policy to comply with the Commonwealth's Act 3 of 2008, 65 P.S. §§ 67.101 et seq., commonly known as the Right-to-Know Law. With certain exceptions, members of the public have the right to inspect and/or copy public records upon written request.

### 1. Definitions

Right-to-Know Law. Act 3 of 2008, 65 P.S. §§ 67.101 et seq.

Business day. Monday through Friday 8:30 AM through 5:00 PM, except those days when the City of Philadelphia, the main office of the Law Department, or the office, department, board, or commission to which a request is submitted is closed. For the purpose of this Open Records Policy, City Agencies are closed when any of the following applies:

- a. The City, the Law Department, or the particular City Agency operates on an “essential services only” basis;
- b. The City, the main office of the Law Department, or the particular City Agency is closed for four or more hours during regular business hours; or
- c. The City, the main office of the Law Department, or the particular City Agency closes for any portion of regular business hours on an emergency basis.

Public Record Any document that satisfies the general definition of “public record” set forth in the Right-to-Know Law and does not fall within any of the exceptions set forth therein, as the definition and exceptions are amended from time to time and as the definition and exceptions are interpreted by state, federal, and/or local courts.

Open Records Officer. An official or employee of the City of Philadelphia officially assigned responsibility for receiving, tracking, and responding to requests for information under the Right-to-Know Law. The City of Philadelphia may designate a Deputy or Secondary Open Records Officer to act in the absence of an Open Records Officer.

Requester. A person who requests a record under the Right-to-Know Law.

Office of Open Records. The State Office, under the Department of Economic and Community Development, as explained in §1310 of the Right-to-Know Law. The Office of Open Records shall be responsible for many duties, including (but not limited to): issuing advisory opinions; training agencies and public employees; assigning appeals officers to review decisions; and conducting a biannual review of fees allowed under the Right-to-Know Law.

## 2. Open Records Officer

Please see below for the Open Records Officer specific to each City Agency. **If no Open Records Officer is listed, please direct the request to the Open Records Officer for the City Law Department** (Office of the City Solicitor). Please indicate the City Agency the request seeks records from. Please note that some independently elected officials—including the District Attorney’s Office and City Controller’s Office—may have their own separate and distinct policies. You should consult their respective websites for information specific to their offices, including information concerning their respective Open Records Officers.

**The City Law Department is not authorized to accept Right-to-Know Requests on behalf of the Philadelphia District Attorney.** The Office of the District Attorney maintains a separate Open Records Policy; requests for that office should be directed to the Open Records Officer for the Office of the District Attorney.

Directing Requests:

- The City Law Department represents the City on all Right-to-Know matters. Requests from lawyers or law firms must be directed to the Open Records Officer for the City Law Department and should indicate the Office, Department, Board and/or Commission the request is seeking records from.
- Requests for Police Incident Reports must be directed to the Open Records Officer for the City Department of Records.

Current City Open Records Officers:

| City Agency    | Open Records Officer  |
|----------------|---|
| Mayor’s Office | Kathleen Lonie<br>City Hall, Rm 204, Philadelphia, PA 19107<br>(215) 686-0338<br>kathleen.lonie@phila.gov |

| <b>City Agency</b>   | <b>Open Records Officer</b>   |
|--|---|
| City Council   | Mary McDaniel, Esq., City Council Technical Staff<br>City Hall, Rm 576, Philadelphia, PA 19107<br>(215) 686-1945<br>mary.mcdaniel@phila.gov   |
| Office of the Controller   | Grace St. Vincent, Esq.<br>1401 JFK Blvd, 12 <sup>th</sup> Fl, Philadelphia, PA 19102<br>(215) 686-8826 phone<br>Grace.StVincent@phila.gov  |
| Office of the City<br>Commissioners Officer                              | Nick Custodio, Deputy Commissioner<br>Office of Commissioner Deeley<br>City Hall, Rm 130, Philadelphia, PA. 19107<br>(215)-686-3460<br>Nick.Custodia@phila.gov  |
| Law Department<br><br>Office of the City Solicitor                       | Jill Freeman, Esq.<br>1515 Arch St, 17 <sup>th</sup> Fl, Philadelphia, PA 19102<br>RightToKnowLaw@phila.gov   |
| Philadelphia International<br>Airport                                    | Joseph F. Messina<br>Senior Advisor to the Executive Team<br>8500 Essington Ave, Executive Offices, Third Floor<br>Terminals D-E,<br>Philadelphia, PA 19153<br>(215) 937-1855<br>joseph.messina@phl.org |
| Department of Behavioral<br>Health & Intellectual Disability<br>Services | Jeffrey Orlin, Administrative Services Director<br>1101 Market St, 7 <sup>th</sup> Fl, Philadelphia, PA 19107<br>(215) 685-5476<br>Jeffrey.Orlin@phila.gov  |
| Board of Ethics  | Thomas Klemm, Esq., Staff Attorney<br>1515 Arch St, 18 <sup>th</sup> Fl, Philadelphia, PA 19102<br>(215) 686-9463<br>Thomas.Klemm@phila.gov   |
| Board of Pensions &<br>Retirement  | Shamika Taliaferro, Deputy Director<br>Two Penn Center Plaza, 16 <sup>th</sup> Fl, Philadelphia, PA 19103<br>(215) 496-7426<br>Shamika.Taliaferro@phila.gov   |

| City Agency  | Open Records Officer  |
|--|---|
| Board of Revision of Taxes   | Carla E. Pagan, CPE, Executive Director<br>601 Walnut St, Ste 325 East, Philadelphia, PA 19106<br>(215) 686-4343<br>Carla.Pagan@phila.gov   |
| Civil Service Commission   | Barbara LaRocca<br>1401 JFK Blvd, Ste 1640, Philadelphia, PA 19102<br>(215) 686-2320<br>Barbara.LaRocca@phila.gov   |
| Commerce Department  | Libby Peters<br>Senior Director, Policy and Operations<br>1515 Arch St., 12 <sup>th</sup> Floor, Philadelphia, PA 19102<br>(215) 683-2175<br>Libby.Peters@Phila.gov   |
| Commission on Human Relations  | Karen Forman, Esq., Principal Assistant<br>601 Walnut St, Ste 300 South, Philadelphia, PA 19106<br>(215) 686-4891<br>Karen.Forman@phila.gov   |
| Department of Finance<br>Budget Office<br>Risk Management  | Elizabeth Hanley, Deputy Finance Director for Administration<br>Development, and Training.<br>Office of the Director of Finance<br>1401 JFK Blvd, 13 <sup>th</sup> Fl, Philadelphia, PA 19102<br>(215) 686-6203<br>Elizabeth.Hanley@phila.gov |
| Department of Public Health<br><br>Office of the Health<br>Commissioner<br><br>Medical Examiner's Office | Elaine M. Strunk, Executive Assistant<br>1101 Market St, Ste 1320, Philadelphia, PA 19107<br>(215) 686-5234<br>Elaine.Strunk@phila.gov  |
| Department of Public Property  | Thomas C. McDade, III, Deputy Chief of Staff<br>City Hall, Rm 780, Philadelphia, PA 19107<br>(215) 686-7898<br>Thomas.McDade@phila.gov  |

| City Agency  | Open Records Officer  |
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| Department of Revenue  | Manuela Hartley, Technical Staff<br>1401 JFK Blvd, 4 <sup>th</sup> Fl, Philadelphia, PA 19102<br>215-686-6435<br>Manuela.Hartley@phila.gov  |
| Fleet Management   | Dr. K Wilson, Administrative Services Director<br>100 S. Broad St, 3rd Fl, Philadelphia, PA 19110<br>(215) 686-1844<br>k.wilson@phila.gov   |
| Free Library of Philadelphia   | Leslie Walker, Chief of Staff<br>1901 Vine St, Rm 120, Philadelphia, PA 19103<br>(215) 686-5306<br>lesliemw@freelibrary.org   |
| Division of Housing & Community Development; Philadelphia City Planning Commission; Philadelphia Historical Commission; Developer Services Committee | Paul D. Chrystie, Director of Communications<br>Division of Housing and Community Development<br>1234 Market St, 17th Fl, Philadelphia, PA 19107<br>(215) 686-9721<br>paul.chrystie@phila.gov |
| Labor Standards  | Perritti DiVirgilio, Director of Labor Standards<br>1401 JFK Blvd, Rm 170, Philadelphia, PA 19102<br>(215) 686-2132<br>perritti.divirgilio@phila.gov  |
| Licenses & Inspections   | Tia Platts<br>1401 JFK Blvd, Rm 1130, Philadelphia, PA 19102<br>(215) 686-1441<br>Tia.Platts@phila.gov  |
| Managing Director's Office   | Kyle Allen<br>1401 JFK Blvd., Ste 1630, Philadelphia, PA 19102<br>(215) 683-4766<br>Kyle.Allen@phila.gov  |
| Office of the Chief Administrative Officer   | Matthew Fisher, Esq., LLM, Chief-of-Staff<br>1401 JFK Blvd, Ste 630, Philadelphia, PA 19102<br>(215) 686-1955<br>matthew.fisher@phila.gov   |

| <b>City Agency</b>  | <b>Open Records Officer</b>  |
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| Office of Innovation & Technology                           | Steven E. Robertson, Esq., Chief of Staff<br>(215) 686-8268<br>steven.robertson@phila.gov  |
| Office of the Inspector General                             | Alexander F. DeSantis<br>601 Walnut St, Ste 300 East, Philadelphia, PA 19106<br>(215) 685-1770<br>Alexander.DeSantis@phila.gov                                   |
| Office of Property Assessment                               | Drew Aldinger, Esq., Deputy Administrator<br>601 Walnut St, Ste 300 West, Philadelphia, PA 19106<br>(215) 686-4353<br>RighttoKnowOPA@phila.gov                   |
| Office of the Chief Administrative Officer                  | Erica Gibson<br>1401 JFK Blvd, Ste 630, Philadelphia, PA 19102<br>215-686-5247<br>Erica.Gibson@phila.gov   |
| Office of Homeless Services<br>Office of Supportive Housing | Linda A. White<br>1401 JFK Blvd, Ste 1030, Philadelphia, PA 19102<br>(215) 686-6726<br>linda.white@phila.gov   |
| Parks & Recreation  | Ken Sheppard<br>1515 Arch St, 10 <sup>th</sup> Fl, Philadelphia, PA 19102<br>215-683-3639<br>Kenneth.Sheppard@phila.gov  |
| Philadelphia Department of Prisons                          | Gregory J. Vrato, Esq., Director of Policy Compliance & Legal Affairs<br>7901 State Rd, Philadelphia, PA 19136<br>(215) 685-7840<br>Greg.Vrato@prisons.phila.gov |
| Philadelphia Fire Department                                | Deputy Chief Dennis Merrigan<br>3061 Island Ave, Philadelphia, PA 19153<br>(215) 686-1362<br>Dennis.Merrigan@phila.gov   |

| City Agency                    | Open Records Officer  |
|--------------------------------|---|
| Philadelphia Gas Commission    | Erin Baley Lai, Esq.<br>1515 Arch St., 9 <sup>th</sup> Fl, Philadelphia, PA 19102<br>(215) 683-0904<br>elai@phlgc.net   |
| Philadelphia Water Department  | Sheilah Louis, Esq.<br>ARAMARK Tower, 1101 Market St, 5 <sup>th</sup> Fl, Philadelphia, PA 19102<br>(215) 685-6139<br>sheilah.louis@phila.gov                                     |
| Philadelphia Police Department | Lieutenant Barry Jacobs<br>750 Race St, Rm 203, Philadelphia, PA 19106<br>(215) 686-3277<br>police.righttoknow@phila.gov  |
| Procurement Department         | Jacquelyn Broomer, Operations Support Manager<br>1401 JFK Blvd., Rm 120, Philadelphia, PA 19102<br>(215) 686-4733<br>Jacquelyn.Broomer@phila.gov                                  |
| Department of Records          | Joseph Gilorma<br>City Hall Rm 156, Philadelphia, PA 19107<br>(215) 686-1475<br>Joseph.Gilorma@phila.gov  |
| Sinking Fund Commission        | Christopher DiFusco, Esq., Chief Investment Officer<br>1500 John F. Kennedy Blvd., 17 <sup>th</sup> Fl, Philadelphia, PA 19102<br>(215) 496-7463<br>Christopher.Difusco@phila.gov |
| Department of Streets          | Alethia Parsons<br>1401 JFK Blvd., Rm 730, Philadelphia, PA 19102<br>(215) 686-5460<br>Alethia.Parsons@phila.gov  |
| Treasurer                      | Ebony James<br>1401 JFK Blvd, Ste. 640<br>(215) 686-3823<br>Ebony.James@phila.gov   |

| City Agency   | Open Records Officer   |
|---|--|
| Water Revenue Bureau                                      | Lawrence Taylor, Administrative Assistant<br>1401 John F. Kennedy Blvd., Rm 230, Philadelphia, PA 19102<br>(215) 686-6838<br>lawrence.taylor@phila.gov |
| Any agency, office, board, or department not listed above | Jill Freeman, Esq.<br>1515 Arch St., 17 <sup>th</sup> Fl, Philadelphia, PA 19102<br>(215) 683-5457<br>RightToKnowLaw@phila.gov                         |

### 3. Procedure

The Right-to-Know Law requires that the City of Philadelphia act upon each non-anonymous written request when such request is made in person, by mail, by fax, or by email. The Right-to-Know Law does not require that the City of Philadelphia act upon an oral request, and the City of Philadelphia shall refuse to accept oral requests. Furthermore, the Right-to-Know Law does not require that the City of Philadelphia act upon an anonymous request, and the City of Philadelphia will refuse to honor an anonymous request.

Pursuant to the Right-to-Know Law, the State Office of Open Records has created and published on its website a standard statewide form, which must be accepted by the City of Philadelphia for filing a request. (<https://www.openrecords.pa.gov/RTKL/Forms.cfm>).

Effective February 1, 2012, the City of Philadelphia requires the standard statewide form be used for the submission of Right-to-Know requests, and will not consider a request to be a written request pursuant to the Right-to-Know Law unless the request is submitted on or with the standard statewide form. As of February 1, 2012, the City of Philadelphia considers any request not submitted on or with the standard statewide form to be an informal request not subject to the Right-to-Know Law.<sup>1</sup> If a requester submits a request on or with the standard statewide form after submitting an informal request for the same (or similar) records, the City of Philadelphia will consider the informal request to have been withdrawn. The City of Philadelphia reserves the right, at its sole discretion, to require a written request pursuant to the Right-to-Know Law before releasing records. A copy of the standard statewide form appears at the end of this policy.

The Right-to-Know Law sets forth various specifications for the contents of a written request. To qualify as a written request under the Right-to-Know Law and the City of Philadelphia Open Records Policy the request must be:

- (a) Directed to the appropriate Open Records Officer,

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<sup>1</sup> The City of Philadelphia reserves the right, at its sole discretion, to use the Right-to-Know Law as guidance in responding to informal requests for records and/or information.



(b) Submitted on or with the standard statewide form, and

(c) Contain at least the following information:

- i. Name of requester;
- ii. Address of requester; and
- iii. Records sought, identified, or described with sufficient specificity to allow the City of Philadelphia to ascertain what records are being requested.

Under the Right-to-Know Law, the City of Philadelphia has a duty to make a good faith effort to determine if the record(s) requested is a public record and to respond as promptly as possible under the circumstances existing at the time of the request; this time shall not exceed five business days from the date the request is received by the agency's Open Records Officer. The Law provides that either a final or interim response be provided to the requester within five business days from the date of receipt by the agency. If the agency fails to respond within this five-day time period, the Open Records Request is deemed denied.

The Right-to-Know Law and the City of Philadelphia's policy contemplates that requesters will receive a response within five business days. The Right-to-Know Law, however, does provide the City of Philadelphia with specific reasons that may be invoked to receive a single extension of time that shall not exceed 30 calendar days. If the 30<sup>th</sup> calendar day falls on a day when the City of Philadelphia is closed, the deadline will be the following business day.

If an extension is asserted and no response is provided to the requester within the 30-day time period, the Open Records Request is deemed denied. Additionally, if the City of Philadelphia notifies the requester it needs more than the maximum 30-day extension, the request is deemed denied unless the requester has agreed in writing to an extension to the date specified in the notice. If the requester agrees to the extension, the request shall be deemed denied on the day following the date specified in the notice if the agency has not provided a response by that date.

The City of Philadelphia's final response to a request will:

- Grant the request;
  - Deny the request;
  - Grant the request in part and deny the request in part; or
  - Grant the request and redact part of the information provided pursuant to the Right-to-Know Law and/or other applicable federal, state, and local law.
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#### 4. Appeals of Denied Requests

If a request for access to a record is denied (in whole or in part) or deemed denied, the requester may file an appeal within 15 business days of the mailing date of the City of Philadelphia's denial as follows:

##### **Records Other Than Criminal Investigative Records**

Appeals of denials related to requests for records other than criminal investigative records must be directed to the Pennsylvania Office of Open Records:

Commonwealth of Pennsylvania  
Office of Open Records  
333 Market St., 16<sup>th</sup> Fl  
Harrisburg, PA 17101

##### **Criminal Investigative Records**

Appeals of denials related to requests for criminal investigative records must be directed to the Philadelphia District Attorney's Office within 15 business days of the mailing date of the City of Philadelphia's denial. Appeals to the Philadelphia District Attorney's Office should be directed to the following address: District Attorney's Office, Civil Litigation Unit, Open Records Appeals Officer, Three South Penn Square, Philadelphia, PA 19107-3499.

##### **For All Administrative Appeals**

Unless the requester agrees otherwise, the Appeals Officer shall make a final determination which shall be mailed to the requester and the City of Philadelphia within 30 days of receipt of the appeal. Should the Appeals Officer fail to issue a ruling within 30 days, the appeal is deemed denied.

Before a final determination is issued, a hearing may be held. The determination by the Appeals Officer shall be a final order. The Appeals Officer shall provide a written explanation of the reasons for the decision to the requester and the City of Philadelphia.

Within 30 days of the mailing date of the final determination of the Appeals Officer, a requester or the City of Philadelphia may file a petition for review or other document(s) as required by rule of court with the Philadelphia Court of Common Pleas.

#### 6. Fees and Charges

Fees for duplication of records have been established and posted by the State Office of Open Records. The City of Philadelphia will charge fees consistent with the State Office of Open Records regulations.

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The City of Philadelphia reserves the right to impose additional fees if it incurs costs for complying with a request, pursuant to the Right-to-Know Law; such additional fees, when charged, must be reasonable. This includes, but is not limited to, fees for enhanced electronic access and certified copies of documents.

#### 7. Written Policies and Regulations

The City of Philadelphia and each Open Records Officer shall retain the discretion and authority to adopt any other written policies that are consistent with the Right-to-Know Law, and these policies, as amended from time to time, that they deem to be necessary or prudent, consistent with the Right-to-Know Law.

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# Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: \_\_\_\_\_ (Attn: AORO)

Date of Request: \_\_\_\_\_ Submitted via:  Email  U.S. Mail  Fax  In Person

**PERSON MAKING REQUEST:**

Name: \_\_\_\_\_ Company (if applicable): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Email: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

How do you prefer to be contacted if the agency has questions?  Telephone  Email  U.S. Mail

**RECORDS REQUESTED:** *Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. RTKL requests should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law. Use additional pages if necessary.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DO YOU WANT COPIES?**  Yes, printed copies (default if none are checked)  
 Yes, electronic copies preferred if available  
 No, in-person inspection of records preferred (may request copies later)

Do you want [certified copies](#)?  Yes (may be subject to additional costs)  No  
RTKL requests may require payment or prepayment of fees. See the [Official RTKL Fee Schedule](#) for more details.

Please notify me if fees associated with this request will be more than  \$100 (or)  \$\_\_\_\_\_.

**ITEMS BELOW THIS LINE FOR AGENCY USE ONLY**

Tracking: \_\_\_\_\_ Date Received: \_\_\_\_\_ Response Due (5 bus. days): \_\_\_\_\_  
30-Day Ext.?  Yes  No (If Yes, Final Due Date: \_\_\_\_\_) Actual Response Date: \_\_\_\_\_  
Request was:  Granted  Partially Granted & Denied  Denied Cost to Requester: \$ \_\_\_\_\_  
 Appropriate third parties notified and given an opportunity to object to the release of requested records.

NOTE: In most cases, a completed RTKL request form is a public record. More information about the RTKL is available at <https://www.openrecords.pa.gov> Form updated Feb. 3, 2020