

April 3, 2017

Via electronic mail only
parighttoknow@gmail.com

Simon Campbell
668 Stony Hill Rd #298
Yardley, PA 19067

RE: Request for Advisory Opinion

Dear Mr. Campbell:

The Office of Open Records (“OOR”) is in receipt of your request for an advisory opinion. Your request is partially granted. In your request, you raise two issues. Each is addressed below.

- 1. If a Requester lists his/her true full name and an e-mail address or fax number *on the uniform form* for the agency to respond to a written request, but does not provide a postal mailing address to the agency, does such limited information meet the sufficiency requirements of “name and address” under 65 P.S. § 67.703?**

It is undeniable that improvements in technology have created many new opportunities for communication between citizens and government agencies. However, as you noted, such broad issues are better answered on a case-by-case basis with a detailed analysis addressing any number of unique legal and factual issues that will vary from one agency to another. These issues may include: agency IT capabilities, agency funding, reliability and security of online platforms, etc. Because these types of questions are specific to individual requesters and agencies, they are better heard and decided through the OOR appeal process rather than in an Advisory Opinion.

- 2. Section 702 states that agencies may, in their discretion, fulfill “verbal” requests. 65 P.S. § 67.702. What does OOR see as the parameters of a verbal request, if any? Is it *only* an in-person conversation or a telephone call? Or does ‘verbal’ request include a YouTube video of the requester verbally requesting records and sending the YouTube link to the agency? What about voicemail technology where a pre-recorded message is sent to the agency akin to the technology used at election time by candidates?**

A verbal request is any request that is spoken instead of written, including a request submitted via YouTube video or voicemail. Please note that, pursuant to the Right-to-Know Law, the OOR only has jurisdiction over appeals filed subsequent to written requests. Therefore, verbal requests fall outside the jurisdiction of the OOR and how they are handled is within the discretion of each individual agency. The OOR encourages agencies to operate in a way that maximizes access and accountability while at the same time maintaining the effective and efficient use of taxpayer-funded resources.

Thank you for contacting the OOR with your request.

Respectfully,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Charles Rees Brown
Chief Counsel