

Honorable Rochelle S. Friedman, the OOR Advisory Regarding Home Addresses of Public Employees, and a federal and state right to privacy. To view the Court Order, [see https://www.dced.state.pa.us/public/oor/homeaddress_courtorder.pdf](https://www.dced.state.pa.us/public/oor/homeaddress_courtorder.pdf). The Requester timely appealed to the OOR. The Requester subsequently granted the OOR additional time to issue the determination and to permit Linda Gross to submit information to the OOR.

In a letter dated December 29, 2009, Ms. Gross stated that there was no personal security risk involved in the release of her home address and that her home address is readily available in the public domain via the telephone directory and numerous online sources. She also indicated that she has never given the Community College permission to represent her in this matter. She contends that Judge Friedman's Order is inapplicable to the Community College because it is not a named party in the dispute between PSEA and the OOR. She states that the Community College lacked standing to make any right to privacy claim on her behalf to deny the Requester her home address.

The Community College countered by providing screenshots of Ms. Gross' webpage and another online source showing her home address. The Community College argues that the case should be dismissed as moot since the Requester now knows Ms. Gross' home address.

LEGAL ANALYSIS

The OOR is authorized to hear appeals for all Commonwealth and local agencies. See 65 P.S. §67.503(a). The Community College is a local agency subject to the RTKL. See 65 P.S. § 67.302. Regardless of consent to release a home address or its availability in the public domain, the Commonwealth Court has specifically enjoined the OOR from

ordering the release of the requested records/information. In addition, the OOR has publicly stated that it will not release the home addresses of public employees. Therefore, the requested addresses cannot be released and the appeal is denied. See: https://www.dced.state.pa.us/public/oor/20090730_OOR_Advisory.pdf

CONCLUSION

For the foregoing reasons, the Requester's appeal is **denied**. The Community College is not required to take any further action. This Final Determination is binding on the parties. Within thirty (30) days of the mailing date of this Determination, either party may appeal to the Court of Common Pleas, Philadelphia County. All parties must be served with notice of the appeal. The Office of Open Records also shall be served notice and have an opportunity to respond according to court rules. 65 P.S §67.1301. The parties are further advised that a copy of this Final Determination will appear on the Office of Open Records website, <http://openrecords.state.pa.us>

FINAL DETERMINATION ISSUED AND MAILED January 29, 2010



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