

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION – CIVIL

Appeal of:	:	
SAMANTHA MELAMED, ET AL.	:	December Term 2020
	:	
From a Decision of:	:	No. 1744
OFFICE OF OPEN RECORDS	:	
	:	

FILED
2021 JUL 23 PM 3:09
FIRST JUDICIAL DISTRICT OF PA


ORDER

AND NOW, this 23rd day of July, 2021, upon consideration of the briefs filed by the parties, this Court’s review of the certified record, and after oral argument, it is **ORDERED** that the appeal is **DENIED** and the decision of the Office of Open Records is **AFFIRMED**.¹

ORDRF-In Re: Appeal Of Samantha Melamed Etal



BY THE COURT:



J.

¹ The issue in this Right-to-Know appeal is when a police officer’s personnel files are no longer exempt pursuant to 65 P.S. § 67.708(b)(7)(viii). The exemption covers “Information regarding discipline, demotion or discharge contained in a personnel file.” The exemption does not “apply to the final action of an agency that results in demotion or discharge.” The Philadelphia Police Department is subject to and covered by Act 111 of 1968, which provides that Police Department disciplinary actions or dismissals against police officers are appealable through a binding arbitration procedure. In other words, there can be no final action of the Police Department – the agency – resulting in demotion or discharge until the conclusion of the binding arbitration. Therefore, the appeal is denied and the decision of the Office of Open Records is affirmed.