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Public 911 Tapes Would Deter Negligence

By Michael Berry

The General Assembly is working furiously to rewrite Pennsylvania's Right to Know Law. The House has plowed through more than 40 amendments to its "open records" bill. One of those sought to prohibit access to "records or parts of records pertaining to audio recordings, telephone or radio transmissions received by emergency dispatch personnel."

In plain English, the amendment sought to keep all records of all 911 calls secret in all cases. The amendment passed 198 to 1.

The vote is remarkable for a couple of reasons. First, the amendment essentially beat a dead horse since the bill already contained a provision barring access to tapes and transcripts of 911 calls.

Second, and certainly more significant, passage by such a lopsided margin suggests there is a fundamental misunderstanding of what open government is all about and why making records public is so important. The problem is not limited to the House; the Senate's version of open records reform also exempts 911 recordings.

The purpose of the exception seems legitimate at first glance, presumably to protect people's privacy and shield ongoing investigations. Or, maybe it's a stand against pop culture's inexplicable fascination with Lindsey Lohan's latest arrest and the circumstances of Anna Nicole Smith's death.

While there are some situations in which release of 911 tapes would reveal intimate details about a person or undermine an investigation, in most instances that is not the case. In fact, disclosing 911 tapes provides the public with a powerful check on emergency call centers and public safety personnel. These tapes provide a unique view into the performance of public officials in life-and-death situations reflecting the most essential services our government provides.

For example, 911 tapes revealed that dispatchers in Los Angeles brushed aside frantic calls for help as a woman spit up blood and ultimately died in a hospital emergency room.

Tapes showed that after a woman died in police custody in the Phoenix airport, a police lieutenant avoided telling her husband that she had died, even as the husband urgently sought to advise a dispatcher of his wife's fragile mental and physical condition and desperately asked about her well-being.

In Lake Tahoe, tapes exposed that calls reporting a wildfire that destroyed 254 homes were disregarded, as the dispatchers mistakenly told callers the fires were "controlled burns."

Should a victim's family be deprived of the opportunity to know that a 911 dispatcher shrugged off calls for help? Should homeowners not know that their local 911 call center was unaware that the forest service had canceled the controlled burn or ignored its own policy of immediately alerting the local fire department?

Perhaps the best example of why 911 tapes should be released are the New York City tapes from Sept. 11, 2001. When they were released to families of victims and The New York Times, they brought to light grave deficiencies in New York's emergency response system. They also revealed that on that horrific day dispatchers did not have accurate, up-to-the-minute information about the condition of the Twin Towers or the rescue effort there.

But those tapes also underscore the sacrifice, courage and true heroism of the men and women in uniform who responded to the calls that day. Heroism like that demonstrated by the late Capt. Patrick Brown, who radioed to tell dispatchers that the North Tower's stairwells were filled with people suffering burn injuries and "I'm trying to send them down first."

People certainly should know when emergency personnel perform admirably. That may be one reason the Lancaster district attorney released the transcript of 911 calls from last year's Amish school shooting, which showed the dispatchers' textbook responses, including one who tried to prevent the attack by keeping the shooter on the phone as police arrived.

But the government should not be permitted to release 911 tapes just to show it deserves accolades. It should expose itself to view even when it deserves criticism.

The General Assembly shouldn't hide 911 tapes from the public. Instead, it should adopt a common-sense approach, ensuring that tapes are accessible except when their release would actually invade someone's privacy or hinder an investigation.

The bills' current approach violates the public's right to know. It also leaves the impression there's something to hide.

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