

**LUZERNE COUNTY**  
**OFFICE OF LAW**  
ROMILDA P. CROCAMO, ESQUIRE  
CHIEF COUNTY SOLICITOR



**LUZERNE COUNTY**  
**COUNTY MANAGER**  
C. DAVID PEDRI, ESQUIRE

**County of LUZERNE**  
P E N N S Y L V A N I A  
ESTABLISHED 1786

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February 20, 2018

Bob Kalinowski  
75 N. Washington Street  
Wilkes-Barre, PA 18701  
Email: [bkalinowski@citizensvoice.com](mailto:bkalinowski@citizensvoice.com)  
RE: RTK Request # 18-37

Dear Mr. Kalinowski:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. My email is [Jackie.Carroll@luzernecounty.org](mailto:Jackie.Carroll@luzernecounty.org).

On February 15, 2018, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. Your request is granted and denied

Your request is denied pursuant to 65 P.S. Section 67.708 ((b)(20) "Except as provided in Subsections (c) and (d), the following are exempt from access by a requester under this act:

(20)An autopsy record of a coroner or medical examiner and any audiotape of a postmortem examination or autopsy, or a copy, reproduction or facsimile of an autopsy report, a photograph, negative or print, including a photograph or videotape of the body or any portion of the body of a deceased person at the scene of death or in the course of a postmortem examination or autopsy taken or made by or caused to be taken or made by the coroner or medical examiner. This exception shall not limit the reporting of the name of the deceased individual and the cause and manner of death."

That having been stated, it is granted as to the names, ages and date of death of the people who died in 2017 from a drug overdose.

Also, it is granted as to a list of the number of deaths resulting from various drugs.

It is denied as to all other information requested since such information is not compiled in a list as you have requested.

Luzerne County does not maintain the records requested by you, therefore, your request is denied pursuant to §705 of the RTKL. §705 of the RTKL states that “when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record”.

You have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4<sup>th</sup> Floor, Harrisburg, PA 17120.

If you choose to file an appeal for any reason, you must do so within 15 business days of the mailing date of the agency’s response. Section 1101. If you have further questions, please contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

Very truly yours,

JACQUELINE MUSTO CARROLL, ESQUIRE  
Luzerne County – Open Records Officer  
200 North River Street  
Wilkes-Barre, PA 18711