

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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November 7, 2017

Bob Kalinowski  
75 N. Washington Street  
Wilkes-Barre, PA 18701  
Email: [bkalinowski@citizensvoice.com](mailto:bkalinowski@citizensvoice.com)  
RE: RTK Request # 17-207

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 November 7, 2017, 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

It is granted as to the call logs only.

It is denied for the following reasons pursuant to the Pennsylvania Right to Know Law ("RTKL").

Section 708(b)(18)(i) of the RTKL states: "The following are exempt from access by a requestor under this Act ... Records or parts of records, except time response logs, pertaining to audio recordings, telephone or radio transmissions received by emergency dispatch personnel, including 911 recordings." §67.708(b)(18)(i). As such, pursuant to the exemption, Luzerne County 911 does not release transcripts of calls, audio recordings of calls or other such information except time response logs absent a court order or subpoena. We have requested that 911 preserve any such information that does exist in the event that a subpoena is obtained.

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.

Page Two

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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



# pennsylvania

OFFICE OF OPEN RECORDS

## STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 11-06-2017

REQUEST SUBMITTED BY:       E-MAIL       U.S. MAIL       FAX       IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Luzerne County 911  
200 N. River St., Wilkes Barre, PA 18711

NAME OF REQUESTER: Bob Kalinowski

STREET ADDRESS: 75 N. Washington St.

CITY/STATE/COUNTY/ZIP(Required): Wilkes-Barre, PA 18701 (Luzerne County)

TELEPHONE (Optional): 570-821-2055      EMAIL (optional): bkalinowski@citizensvoice.com

**RECORDS REQUESTED:** *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

911 records/call logs and any other available information into any dispatches and/or responses to 57 Custer St. in Wilkes-Barre or any residences on Custer Street, Wilkes-Barre, in the past six months.

DO YOU WANT COPIES?  YES  NO

DO YOU WANT TO INSPECT THE RECORDS?  YES  NO

DO YOU WANT CERTIFIED COPIES OF RECORDS?  YES  NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100?  YES  NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

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### FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*